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Index to the colonial and  
state records of N.C.  
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# INDEX

TO THE

## COLONIAL AND STATE RECORDS

OF

### NORTH CAROLINA.

COVERING VOLUMES I-XXV.

PUBLISHED UNDER THE SUPERVISION OF THE TRUSTEES OF THE PUBLIC LIBRARIES, BY ORDER OF THE GENERAL ASSEMBLY

WITH AN

HISTORICAL REVIEW

Vol. XXX

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COMPILED AND EDITED

BY

STEPHEN B. WEEKS.

VOLUME IV

S-Z

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RALEIGH

E. M. UZZELL & CO., STATE PRINTERS AND BINDERS

1914

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Ft. Wayne, Indiana



## PREFACE.

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In concluding this volume it seems proper to remind the reader once more that in the accompanying Index the conscious and deliberate effort has been made to have every proper adjective and every proper name, regardless of its relative importance, indexed every time it occurs; that every fact, every separate item which is distinct enough to have a form and substance of its own, has been indexed under every appropriate heading, and that each heading has been made as full as if no other heading was to be used. Notwithstanding this care, it will still be well for the student to check up the references under one heading by those under others and to examine, not only the material found under headings that may be counted more or less as synonyms, but also to examine references to materials under headings related, but not synonyms, for it would be impossible for an indexer to keep every synonym constantly in mind and use them always without variation. It is hoped that by this method the simplest investigator, provided he knows how to find words in a dictionary, may easily get all that this Index has on his chosen subject, whether it be, for instance, Customs, Duties, Imports, Taxes; or, Quit rents, Rents, Taxes.

It may be well to add also that, taking this work seriatim in indexing, relationships between parts have been seen which would not appear on the surface to the casual reader. The pages where such relationships—hidden references, as it were—appear have been given in the Index as well as those on which the original subject appears under its own name. By examining together all the references given, the reader may also see the connection.

I have grouped all references to well known personal names under the usual and correct form of that name, regardless of the vagaries of spelling that may characterize the contemporary writer. When the individual mentioned happens to be one who has not won for himself an assured niche in the temple of our State history I have been constrained to put the name down as it appears, or to put it under the most used form, with variant forms in parenthesis. I have also hoped to simplify the finding of names by inserting many cross references to variant forms, but the careful student when tracing family history will, independent of any suggestion from me, run down all names which may be considered variants of the one on which he is working. Only in this way can he be sure that he has all references

to a particular individual. And the capacity of these pioneers—strong, vigorous nation builders, but unlearned in books—to misspell personal names is marvellous. In this Index the same names vary in spelling—

Like autumnal leaves that strew the brooks  
In Vallambrosa.

Another matter has caused no little trouble. That is the difficulty in differentiating references between two or more persons of the same name, living in the same section and at the same time. It is an old and familiar specter to genealogists, and can be solved only by a long and careful study of the surroundings. This I have had no opportunity to give. So far as my judgment permits, I have grouped the references to one man under his name, but it must not be assumed that all references assigned to any particular John Smith are his beyond question, and I may be pardoned if among the 125 John Smiths entered in this Index I have not assigned to each all of his own and only his own quota of references. The grouping given is simply the judgment of the Compiler from his general knowledge of the subject, aided by the time at which the subject is on the stage, with any other help that he was able to command for the moment. An absolutely correct grouping could be had only by the most minute and particular and painstaking comparison of the facts furnished by the records, supplemented by exhaustless sources of outside information. This task of verification I gladly leave to the research worker. It is his by right, not mine, and the careful student will, in any case, make this examination and comparison for himself, regardless of what I may have done.

I have printed at the end of the Index a short list of *Addenda et Corrigenda*, covering of course only such errors as have been called to my attention. In preparing this I sent a personal letter to some twenty-five of the leading students of the State's history, all of whom have used the Index and so have had opportunity to test its accuracy, with the request that they send me a list of such errors as they had found in the course of their investigations. Three answers were received. One correspondent assumed that there were, necessarily, some errors; another pointed out minor mistakes in interpretation; the third sent some half dozen corrections. If the character and extent of the replies from students can be taken as a guide, then there need be no fear of the general accuracy of the whole. In a work of

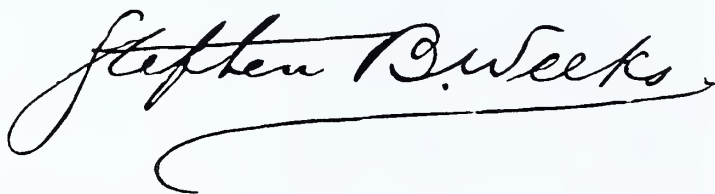


this size, extending to perhaps more than 400,000 entries, errors are to be expected, although the utmost care has been taken to avoid them. The two accidents that happened to the manuscript—once through the treachery of Indian assistants and once through somebody's carelessness—were remedied only at an infinite expenditure of time and care, but were so successfully remedied that I believe the Index as printed is more accurate and complete than before the occurrence of the accidents. My own use of the Index in manuscript, which has been quite extensive, and the reports I have had on it from scholars, lead me to believe that the total of errors and omissions will not exceed 1 per cent.

In addition to the names of those persons mentioned in volume 26 as assisting me in the work, my thanks are also due to Misses Sallie, Pattie, and Rosalie Turner, who read proof; to Mr. Julian A. Turner, Jr., who spent faithful months in repairing the damage done to the manuscript by water after it had left the Compiler's hands; to my wife, Mrs. Sallie Mangum Leach Weeks, and to my son R. Jackson Weeks, Ensign U. S. N., who relieved me of the tedium of indexing long lists of personal names, and to my son W. P. Mangum Weeks, who assisted in proof-reading, my grateful thanks are due. Nor should I fail to mention in this connection Mr. B. W. Nash, who in the early days of the printing was alone found capable of deciphering my handwriting—said to have acquired celebrity among wandering typesetters from Washington to Florida; nor Mr. E. M. Uzzell, the printer of the fourth volume, and his capable assistants who by their accuracy and care have saved me from the blush of shame which often comes when volumes two and three are compared with volume four. To these gentlemen who have worked with me for more than seven years over the difficult task of printing, and to Mr. George B. Justice, Assistant Commissioner of Labor and Printing, who, understanding the difficulties involved, has helped forward the work in every possible way and, appreciating the value of accuracy, has insisted always on correctness in the details of typographical form, my heartfelt thanks are due.

And now the Compiler has ceased writing cards, has ceased alphabetizing and editing, has said his last word to long suffering printers; he and they have read the last lines of proof; the last forms are being run off and the Compiler, after more than eighteen years of exacting

labor and unremitting attention to atrophying details, is about to lay aside his pen and rest forever from the making of this Index—a task difficult, laborious, exhausting, and thankless, but far from uninteresting; a task carried on amid the distractions of other employments, accomplished in sickness and death, in pleasure and pain, in good report and ill report, in peace and success, in struggle and defeat, within sight of the Nation's Capitol, on top of New Mexican mountains, under the spell of the awe-compelling silence of Arizonan deserts, and amid the beautiful rural scenery of Piedmont North Carolina—with the conclusion of his work he may be pardoned, perhaps, if he pauses for a moment and invites his readers to join him in an expression of gratitude to the fathers for their efforts—their many and long continued efforts—which have finally culminated in this noble series of Records which the State of North Carolina now contributes as her share towards the early history of the American Nation.

A handwritten signature in cursive script, reading "Stephen B. Weeks". The signature is written in dark ink and features a long, sweeping underline that extends to the right.

WASHINGTON, D. C.,  
February 3, 1896, and  
August 3, 1914.



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# COLONIAL AND STATE RECORDS

## OF

# NORTH CAROLINA.

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 It is respectfully suggested that students who find errors or omissions in this Index send a list of the same to the State Librarian, Raleigh, N. C., in order that they may be included in a future list of *Addenda et Corrigenda*.



HISTORICAL REVIEW

OF THE

COLONIAL AND STATE RECORDS

OF

NORTH CAROLINA

BY

STEPHEN B. WEEKS



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## CHAPTER I.

### THE ATTEMPTS, PUBLIC AND PRIVATE, TO GATHER AND PUBLISH THE COLONIAL AND STATE RECORDS OF NORTH CAROLINA.

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#### I. THE RECORDING AND PRESERVATION OF CONTEMPORANEOUS HISTORY.

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##### A. REGISTRATION OF BIRTHS, MARRIAGES AND DEATHS.

Efforts looking to the recording and preservation of facts of public concern date from the earliest days of the colony.

It may be of interest to note that the regular and formal recording of deeds of sale was introduced to the English speaking world through the Fundamental Constitutions of Locke who found the system in Holland and first tried it out in the American colony of Carolina.

It was literally true also that no native Carolinian was anybody unless his birth was on record. The Fundamental Constitutions, section 86, provide: "The time of every one's age that is born in Carolina, shall be reckoned from the day that his birth is entered in the registry and not before"; no marriage was lawful till it had been registered "with the names of the father and mother of each party." Failure to report births and deaths was met with a penalty of 1s. per week.

It is evident that these provisions of the Fundamental Constitutions are the basis of Chapter 38 of the Revisal of 1715, which provides that in every precinct where there was no clerk of the church (and there were perhaps no clerks except in Chowan) the Registrar of the precinct should record all births, marriages and deaths. These were ordered to be reported to the authorities under penalty for neglect.

In 1735 the fee for registering a birth or a marriage was 1s., 3d.; for searching the records the fee was the same, and for copy of register and certificate it was double that sum. This statute remained the law until the Revolution, but was evidently not uniformly obeyed. In 1731 Governor Burrington had reported that the law was even then taken little notice of.

In 1767 Governor Tryon stated the whole matter succinctly, and also the reasons:

There is no regular register of births, burials or marriages kept in any county in the province, although prescribed by some of our acts of Assembly and a fee established for it. The reason for this neglect is chiefly owing to the extensive residence of most of the parishoners from the parish clerks or



readers in their respective parishes or counties, many of which are from forty to fifty miles square and upwards, besides most families having a private burying place on their plantations.

Our failure to find such registers in any except the very oldest precincts makes us realize the general truth of the governor's report. And yet Mr. J. R. B. Hathaway has found and published such a register for Berkeley Precinct.<sup>1</sup>

This register comes down well into the eighteenth century, with some entries as late as the Revolution. As published, it is incomplete, and yet it is of incalculable value to the student of early North Carolina family history. Mr. Hathaway states that he was able to find no similar register for the other precincts of the original county of Albemarle, but the existence of this register is the best possible argument that similar registers were undertaken in the older counties, possibly in most of those organized before the Revolution. Some of the people of colonial Carolina were well enough educated and aristocratic enough to desire a public record of their genealogy, and we may safely assume, I believe, that such registers were undertaken, however imperfectly they were executed.<sup>2</sup>

#### B. REVISALS OF THE LAWS.

After the law for the registration of births, marriages and deaths, the act of most importance to the historian is that for revising and codifying the acts of assembly. The first Revisal was made by the Assembly of 1715. As there was no printing press in the colony, no attempt was made to print this compilation, but twelve manuscript copies were made and distributed one to each county. These copies were kept on the clerk's table during the sitting of the precinct court and were audibly read from beginning to end during the first term in each year. It will be seen that copies of this Revisal were necessarily scarce and that many discrepancies would soon creep into them.

It would seem also that the multiplication of manuscript copies was not peculiar to the Revisal of 1715. It was perhaps a well recognized method of meeting the practical difficulties of the day, for in 1739 the lower house of the assembly proposed to order its clerk to fur-

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<sup>1</sup>North Carolina Historical and Genealogical Register, III. 199-220, 363-410.

<sup>2</sup>It is of interest to note that the Assembly of 1913, going back to the precedent set by Locke's legislation for Carolina in 1669, passed a law requiring the registration of all births and deaths occurring in the State. This act is based on what is known as the Model Law, and is pronounced by the health officers as probably, with one or possibly two exceptions, the most important health law ever enacted by a North Carolina General Assembly; and the same may be said of it from the historical point of view. It stands as Chapter 109 of the Public Laws of 1913.

nish a manuscript copy of the laws since 1733 to each county. This resolution would indicate that copies of the session laws from 1715 to 1733 had already been furnished to the counties in manuscript and that formal publication of their contents had been made in this way.<sup>1</sup> But even as small a matter as this could not go through the North Carolina assembly without a renewal of the eternal wrangle between the two houses over the question of privilege, and it seems that the motion was lost.

At best, the manuscript method of publication was full of danger. In 1736 Governor Johnston writes to the assembly on the condition of the laws as follows:

Upon the strictest inquiry I can't find that there is one complete copy of them in any one place, neither have I yet seen two copies of them which perfectly agree . . . most of them either appear under ridiculous titles, are full of contradictions, or their language and style is childish, ridiculous and against the common rules of grammar. As the happiness of every private man depends upon the laws, I think that is a grievance which can never too soon be redressed.

The assembly, in its reply, said a revision was "a matter of the greatest importance," and that they would "be glad to see it well executed." Then they thought that their whole duty was done. But finally, in 1746, a committee of revision was appointed. This committee omitted all the laws that had expired or become obsolete, and in 1749 reported to the assembly that the Revisal was completed. It was first printed in 1751, and again in 1752, with additional laws. It is called Swann's Revisal, from Samuel Swann, one of the revisers who reported the work to the assembly, but in popular parlance has long been known as the Yellow Jacket, from the color of the leather binding. Other editions and revisals were printed in 1764 and 1765, 1773, 1791, etc., and have been of the highest importance to the historian, as they are our main source for the great body of colonial and Revolutionary law.

The Revisals of 1751, 1752, 1764, 1765, and 1773 were all printed in Newbern by James Davis, who had been induced to come down from

<sup>1</sup>That this was the regular method of publication is shown by a law of 1720 which provides, in order that "all and every person may come to the knowledge of their duty herein," that "the clerk of the Lower House of this present Assembly . . . do within ten days after the ratification of this act send fair copies of this act to the clerks of every precinct court in this Government, who are forthwith required to publish the same by affixing a note at the precinct court house and all other public places, as churches, reading meeting house doors, in their several precincts."—State Records, XXV. 166. See also the following receipt: "July 23, 1718, Recd of E. Moseley thirty pounds being for five copys of the Laws, 3 of them being in ye book of Claimes Novr 1717 & other 2 since. J. Lovick."—N. C. H. and G. Reg., III. 148.

Williamsburg, Va., with his press and types and set up as public printer to his Majesty's province of North Carolina. His was the first press in the colony, and the date of his official entrance into office as public printer was June 24, 1749. Burrington said in 1731 that "encouragement" had been given looking toward the printing of the Revisal of 1715, but it was not done while the Revisal was in force, and after it was superseded by the Revisal of 1751 the immediate need for such publication had passed. The manuscript copies were neglected and no complete copy has ever come to light; but fortunately two incomplete copies which supplemented each other were found during the last century, and from these a complete manuscript copy was made, but it was never printed entire till the publication of the present series, where it appears in volumes 23 and 25. The manuscript Revisal appears there in complete form, but unfortunately many laws are missing for the period between 1715 and 1751, and even later, for the originals have been lost and neither manuscript nor printed copies have as yet been found; but, since it seems reasonable to conclude that manuscript copies were made of the session laws between 1715 and 1733 at least, it is possible that other manuscript copies may yet come to light which will in part at least fill the great gap in the session laws between 1715 and 1751. After that date the lacunæ are comparatively small.

In the later Revisals, those printed in 1764, 1765, 1773, and 1791, temporary and repealed laws were omitted; but since the laws were printed regularly from 1750 it ought to be possible for us to find, either in the State or in England, enough materials out of which a complete set of the session laws after 1750 may be reconstructed. Some material of this kind has come to light in the last few years, and was used by Judge Clark in the present compilation.

Nor does it seem unreasonable to think that careful study may yet reproduce the essential principles of many of the early acts, even if their text itself has disappeared. My own studies of the early laws of North Carolina and of similar laws found in Hening's Statutes at Large of Virginia lead me to the conclusion that a careful comparison of the two will enable us to restore essentially a large part of the early legislation of Carolina that has been lost. When we remember that the great majority of the first settlers of North Carolina came from Virginia, and that North Carolina was under the hegemony of Virginia throughout the whole of the colonial period, nothing seems more natural and reasonable than that her laws should have been brought down and reënacted, *mutatis mutandis*, in the wilds of Carolina. Some of the



North Carolina acts that have survived, *e. g.*, the Servants and Slaves act of 1741, furnish the clearest internal evidence of their Virginian origin.

Indeed, the conditions of American frontier life, being essentially the same, demand essentially the same treatment, and while indexing the early Carolina laws governing the dealings of white men with the Indians I was forcibly struck with the similarity of those laws to the laws of the Federal Government in its dealings with the Apache Indians, among whom I was then living.

A list of the Revisals published prior to the Revolution and of the session laws published prior to 1801 will be found as a part of Chapter III.

#### C. OTHER COLONIAL AND EARLY STATE EFFORTS.

Besides the law requiring the registration of births, marriages and deaths, and those governing the various revisals, numerous other efforts were made looking to the recording and preservation of historical materials.

We have the title of an act passed in 1738 appropriating £2000 in current bills for "a sufficient gaol and office place for the safe keeping the records of the General Court," etc. These offices were to be located in Edenton, and for the public records to have commanded enough respect to be placed in the same category with the gaol is certainly increasing recognition of their importance. But this act is marked obsolete in the Revisal of 1751, and it is to be feared that its terms were never fully met.

Besides, in 1740, the house of commons, after resolving that Edenton was the proper place for the office of the secretary of state, recites that the public records had been removed to Cape Fear, where they were kept in the house of the secretary and were in danger of being lost, altered, erased, or scattered, "to the great prejudice of the inhabitants." They then ask the governor to have a care for the records or to see that representatives of the assembly be allowed to "inspect and take a list or catalogue of all records and other material papers" to prevent further mischief.

Thus we see that the lack of a fixed capital had disastrous effects on the preservation of public records. In 1740 Governor Johnston said "the papers and records of the several offices are so dispersed that I am frequently obliged to send from one end of the province to another for them."

The assembly that year passed a law for "the better securing and safe keeping the records" of the several counties. It provided for the appointment of more capable county registrars, but this office was one of the perquisites of Nathaniel Rice, then secretary of state, and he presented to the British authorities a strong protest against this act. In his protest he was joined by Edward Moseley and the bill was disallowed in January, 1743. In the same year it was said that Rice kept "one of the secretary's offices in his own house near Brunswick, a second office is kept in Edenton and a third in Newbern and a fourth in Edgecombe county." This reminds us of the wide scattering of educational institutions of the present day, and while perhaps the policy of dispersion may be good for education, it certainly is not sound for the preservation of original records.

Governor Johnston reverts to the subject in 1747, and urges the assembly to fix on a capital and erect public buildings. He says:

When your dealings were but small and navigation inconsiderable . . . there was then no great hardship in continuing the seat of government where it has been for several years past, in allowing the officers to keep the public records in their private houses. . . . But now, . . . when the province is peopled quite up to the head of Pee Dee River . . . it is highly necessary to appoint a place nearer the center of the country where his Majesty's courts may be held, where offices may be built for keeping the public registers.

The assembly made a fair reply:

The many inconveniences arising from the unsettled way in which the public offices and records have been kept are so strongly felt that we shall carefully consider of a proper place where the public business may be transacted for the future without hurry and confusion.

Then follows an ominous line as to public funds, and the assembly sat down to consider. After a period of thought covering more than twenty years the beautiful palace rose in Newbern, which was in its day the finest building in British North America and was said by Francisco de Miranda to be without an equal in South America, but it hastened the revolutionary movement in North Carolina and, after a checkered existence of about thirty years, went up in flames in 1798.

In those days, even as now, the public archives suffered by the retention of public documents in the hands of retiring officers. In 1753 Matthew Rowan, then acting governor, wrote to the Board of Trade:

The public papers have come through so many hands of late that I am the less surprised at so few of them being delivered to me; but I shall cause strict search to be made and the papers of the late Governor [Johnston] and President [Rice] by their executives for such as yet remain.

In 1754 Governor Dobbs complains that "for want of proper places to keep the offices in and to preserve records upon account of the changeable state of this province" whenever an officer "dies, all papers die with them, for the successors say they have got no papers, or, if any, those very insignificant, from their predecessors." He adds that this is because the officers are improper persons, who know nothing of their business and leave it all to clerks, who "only work for themselves, and not for the public."

In 1760 Governor Dobbs removed the books and records of the secretary's office to Wilmington. This action drew a sharp resolution from the assembly. Indeed, the eternal quarrel that went on between the governor and the lower house brings out time and again the condition and location of the records, but beyond mere resolutions and idle fulminations, so little was done to preserve them that we are tempted to believe that the North Carolina democracy of that day was a party of opposition merely. Thus in 1760 the governor is denounced for having the records removed to Wilmington, but it seems that the secretary took only such papers as could be moved without trouble. In 1763 he was ordered not to open the cases in which they had been transported, except in the presence of witnesses, who were to make a list, and a little later we find Thomas Rutherford and James Clark, his deputy, appearing before the governor and council with a sworn list of "all the books of record for this province, and also of all wills, bonds, inventories, and other papers belonging to the secretary's office which have been brought from Newbern and Halifax."

But while the assembly was quick to criticise the governor for his shortcomings, its own clerk had to report to the house in 1768 that, "for want of a proper place for depositing and safe keeping" the papers of the assembly, some of them were eaten by mice and rats, that others were totally destroyed, and that those which were still perfect were inaccessible. The assembly thereupon ordered him to file the papers belonging to the house in proper cases, to copy the journals since April, 1760, and provided payment for his labor. It does not seem, however, that he did his duty, for the provision was renewed in 1771. In that year the public records were returned from Wilmington. Governor Tryon reports on January 2, 1771, that they "are safely arrived in town." They were lodged in the Governor's Palace and rest was assured them for a time.

It may be that the removal of the records to Wilmington had something to do with the law of 1760 which took the care of wills out of the



hands of the secretary of state. All wills of date prior to 1760 are supposed to be now in the secretary of state's office in Raleigh. The habit of sending them there seems to have ceased with that year, when a new law was enacted (proposed as early as 1755) which provided that "all original wills" should remain in the clerk's office in the respective counties. This law seems to have worked a hardship, for in 1764 we find John Rutherford, the receiver general, proposing that abstracts of deeds, mesne conveyances and wills should be furnished to the central authorities for use in settling the various questions growing out of the quit rents, and a law of 1754 had required that abstracts of wills should be furnished by the secretary to the auditor general.

On the other hand, a law of 1754 bewails the loss of many "original wills, patents and deeds . . . for want of convenient offices to keep the same." In 1750 the records of Onslow were destroyed in a storm; in 1770 those of Bladen suffered from fire. It was perhaps the latter misfortune which caused the assembly, after reciting that "through the neglect and mismanagement of persons, who have heretofore been registers in this province, many of the books wherein the conveyances of lands within several of the counties are registered, are so abused and defaced as to be almost unintelligible and in danger of being entirely lost," to enact that the justices of any county might appoint a suitable person to collect "all the books or papers wherein are registered the conveyances of land" and to make "a Fair Copy of the same into a Book or Books well bound in Calf or Vellum." Proper steps were also taken to protect these copies from forgeries and blunders and to validate them. No doubt the main, perhaps the only, object in the minds of these legislators was a business one, but their service to history is none the less because they thought only on the utilitarian side of their act.

Another act which made for the preservation of the records was that part of the Court Act of 1774 which required that the clerk of the inferior court should report annually in October to the secretary of state "a list of all certificates for obtaining probates, or administration granted by their respective courts from time to time, containing the names of the testators or intestates, their executors or administrators and the names of the securities." This list was to be recorded in the secretary's office. Had this law been regularly observed, what a wealth of historical material it would have furnished! So far was the reality from the law, however, that the assembly in 1777 had to pass an act to rescue the records of Bladen County from the hands of Maturin Colvill, a former registrar, and in 1778 the same was done to get those of Duplin from James Sampson.

In 1783 a bill for the "preservation of records" was introduced into the North Carolina assembly, but failed to become a law. In 1784, however, the assembly, moved by the hope of collecting military expenses out of the Federal Government for services rendered in the Revolution, passed an act directing the governor to collect complete muster rolls of all the state militia that had been in service at any time after April 19, 1775, and along with them all letters from general officers of the United States, all orders calling the militia into service, letters from Continental officers to the state executive and all materials in the hands of the state comptroller that would strengthen the contention of the State. This law—certainly so far as the muster rolls of the militia were concerned—was never executed. Indeed, it is more than probable that many companies never had muster rolls, especially those that were fighting the Indians, and in this way priceless historical treasures have been lost to posterity and many persons entitled to membership in the patriotic societies by reason of honorable service of ancestors can never hope to prove their claims.

In 1786 the delegates in Congress were instructed to secure from the Federal war office the original muster rolls of the North Carolina Continental Line, or authenticated copies of the same. In this connection Governor Caswell writes to William Green that he hopes a full inquiry will be made and "justice done the state." He then adds, significantly and characteristically, "but I am not at liberty to draw for money on the occasion." The state was willing to have its history preserved, but it must be done without cost to the commonwealth—a spirit of which no inconsiderable trace came down to a much later day.

The assembly had the same general purpose in mind in 1787 when a resolve required that retiring governors, or their representatives, should within twelve months lodge with the secretary of state all public documents of every kind received during their term of office, and the clerks of the two houses of assembly were required to file all documents in their possession within the same time. The same assembly made an effort to recover the record books of Earl Granville's office which were said to be at that time in the hands of "divers persons in this State," and the resolution was made to recover any other public records that might be in private hands.

Indeed, the necessity of presenting a strong case to the Federal Board of war claims was no doubt responsible for much of the war material that has been saved to us. In 1789 Abishai Thomas, the agent of North

Carolina to the Federal Government, enumerates some of the classes of materials that would be of assistance in advancing his cause:

All the resolves and proceedings of our several provincial and state congresses and Committees of Safety relative to raising, equipping, supplying, and paying men for continental, militia and minute service; all the acts of assembly which have passed for the purpose aforesaid, the acts and proceedings of the governors and councils during the war, of the State Board of War and Council Extraordinary, from all of which I have no doubt but valuable information may be obtained, more especially with respect to our claims for militia services and supplies, and as those claims are in numerous instances not covered by resolves of Congress it will also be necessary to collect the letters and orders of the generals commanding and other Continental offices in the Southern Department, and it may likewise be necessary to collect such laws as have passed for establishing Board of Auditors, &c., for liquidating claims, whereby we may be able to shew that we exhibit none but such as we actually paid, or assumed to pay.

In December, 1789, the assembly resolved:

That General Clark be requested to deliver to Doctor Williamson such musters or papers as may be of use in establishing the charges of this state against the United States. . . .

And it resolved further:

That the comptroller be required to collect such musters, pay rolls or other books or papers from amongst the papers of the late Generals Sumner and Hogan, and of Colonels Dixon and Lytle as may be of use in determining the service performed by the Line of this state, and that the executors of those gentlemen be requested to furnish the comptroller with such papers.

As we have no reports, we can only judge what was accomplished by the comptroller under this order from what has come down to us of the papers included in the resolution and which are now preserved in the auditor's office.

The state has also from time to time made efforts to preserve by copying records already in its possession. In 1800 the records of grants and patents, 1663 to 1767, contained in 13 old books, were copied, and by the same act the secretary of state was directed whenever he should know of books and papers in the hands of county clerks or private individuals that belonged of right to his office to sue for and recover the same. In 1813 the land grants 1734 to 1769 were ordered copied and certain other record books were rebound. In like manner the state has authorized individual counties to copy their old records. Of course, the main purpose in this work was not historical, but a mere matter of



business, and service to history was merely incidental (Bertie about 1795, Franklin in 1801, Wake in 1822, Northampton in 1830, etc.).

In 1824 the assembly even authorized the secretary of state to expend \$250 in making such alterations in the doors and windows of his office as would "as far as practicable" preserve the records against depredation and fire. But it refused to put Canova's marble statue of Washington on rollers, and that famous piece of the great sculptor's handiwork was lost in the burning of the capitol in 1831. Nor have the counties been free from similar misfortunes. Onslow lost her records by storm in 1750; Bladen suffered by fire about 1770; Hertford suffered in the same way in 1830; New Hanover and Richmond in 1831; Gates in 1832; Duplin about 1835; Pitt about 1858; Pasquotank in 1862; Washington and perhaps other counties at dates unknown.

It has doubtless been remarked already by the careful reader that during the colonial period both people and government were occupied mainly in the making of records; that such efforts at preservation as were actually undertaken viewed the matter as one of immediate practical import, and that the services rendered to history were subsidiary to business needs. This was also the case during the first half century of the life of the independent state, the single exception recalled being that of Alexander Martin, who while governor, 1782-83 and 1789-91, caused a manuscript copy to be made of the correspondence of Gov. Alexander Spotswood, of Virginia, so far as it related to North Carolina, for the use of the future historian. But when we get down to the period of 1826-27 we see that the viewpoint of the state was beginning to change. Practical purposes had by that time been relegated to the rear, and the action of the state was then avowedly undertaken in the interest of history *per se*.

## II. THE WORK OF INDIVIDUAL STUDENTS IN GATHERING HISTORICAL SOURCES.

Up to this point we have discussed only the efforts of the State as a whole to preserve, not to publish, its records. It is now proper to consider briefly the work of the early historians, and inquire how far their work in compiling their respective volumes was of service in bringing together and preserving the materials on which the narrative history of the State must be based.

### A. GEORGE CHALMERS.

Leaving out of account those who wrote from personal knowledge of events, like Harriot, Ash, Lawson, Brickell, and Hewatt, perhaps the

first student of importance who studied to any extent the colonial history of North Carolina was George Chalmers. He published in 1780 his "Political Annals of the Present United Colonies from their Settlement to the Peace of 1763" (London). In 1782 he printed the first volume of his "Introduction to the History of the Colonies, giving from the State Papers a Comprehensive View of the Origin of their Revolt." But the American war was then nearing its end, and it seemed best to Chalmers to suppress his work rather than offend the ministry.

Chalmers' volumes were undoubtedly based on material secured from the archives of the Board of Trade. Six bound volumes of his papers, relating mostly to New England, were purchased by Jared Sparks and are in the Harvard University Library, but are not important. Two large volumes of his notes and transcripts also came into the hands of George Bancroft and were used by Dr. Hawks and Mr. William James Rivers in their work on North Carolina and South Carolina respectively. Mr. Bancroft concludes, from his own use of the printed Annals and the manuscripts, that "Chalmers' account in all cases of the kind must be received with great hesitancy. The coloring is always wrong; the facts usually perverted. He writes like a lawyer and disappointed politician, not like a calm inquirer."

The "Political Annals" show that Chalmers had access to papers not otherwise known at that time. Williamson says that he applied to him for assistance on his own work, but was curtly refused and threatened should he make other efforts, but at a later period Grahame secured the use of these papers for his History of the United States. He seems to have derived little assistance from them.

Thomas Thorpe's "Supplement to a Catalogue of Manuscripts" (1843) contains, among other items, "No. 669, Letters and State Papers relating to Carolina, 1662-1781," 2 vols. This is supposed to be the same as the two volumes which came into Mr. Bancroft's hands.

#### B. HUGH WILLIAMSON.

Dr. Williamson, in the preface to the first volume of his History of North Carolina, tells of his search for original documents and the success which attended his efforts:

The books that contain the proceedings of the governor's council, the journals of the legislative assembly, and other documents that remain in all the public offices in the state, have been consulted. Information, little to be expected from such records, has also been obtained from dockets of the supreme courts. Extracts of laws that were never printed, powers of attorney, copies of affidavits, and much heterogeneous matter, were inserted in

those dockets, in the infant state of the colony, beside a general abstract of the pleadings. The late C. Pollock was pleased to favor me with the letter book of his ancestor, who had been thirty years deputy to one of the Lords Proprietors, and governed the province, at different periods, as president of the council. I am also indebted to the letter book of Alexander Spotswood, who was lieutenant governor of Virginia, near the beginning of the eighteenth century. General Waddell, who deservedly possessed the confidence of Governor Dobbs and Governor Tryon, used to preserve every letter and instruction directed to him, while he served the province in a civil or military capacity. His descendants, in the most obliging manner, were pleased to send me all the documents of a public nature that had been found in his cabinet. I have received much information, on detached subjects, from some of the most ancient and respectable citizens in the state, who continue to serve the country, and from others who have lately been numbered with the great majority.

A gentleman, from Bern in Switzerland, had the goodness to furnish me with a large file of letters, in a corrupt German language, written by the Baron de Graffenried, respecting Carolina.<sup>1</sup>

Of the debates that have arisen between the several governors and the legislative assemblies, and the disputes between the proprietary agents and the people, I was furnished with copious details. . . .

There are chasms in the journals, and records remaining in the secretary's office, that were obviously occasioned by public commotions. Those defects would have been most conveniently supplied, by reference to records in a public office in London. Much research became necessary, to supply, as far as possible, those accidental defects. The governors lived, and the assemblies met, at so many places, that ancient records are greatly scattered. Copies of instructions to the governors are sometimes entered on the journals of the councils; but copies are missing of some laws that have not been printed. Mr. Chalmers in his "Annals of the United Colonies," availed himself of the papers that are in the Plantation Office. He promised a continuance of those Annals. It was a ministerial work, written during the revolution war; and the apparent object was to prove that the colonists had no claim to being exempted from taxation by the British parliament. But that question being settled, by the treaty of peace, the further labors of Mr. Chalmers, in that field, were not required. As I wished to get a copy of certain papers, that come under the Carolina head, I hoped, for the reason stated, that Mr. Chalmers, who was employed as a clerk in a public office, would furnish my friend with a copy, or assist him in obtaining one. He would do neither; but threatened to interfere, if application should be made to the head of proper department.

#### C. FRANÇOIS XAVIER MARTIN.

Of his work in collecting materials relating to the colonial period, François Xavier Martin says in the preface to his *History of North Carolina* (New Orleans, 1829):

Imperfect as the present publication is, it began to engage the attention of the writer as early as the year 1791: at that period, the legislature of North

<sup>1</sup>QUERY: Is this the German material relating to De Graffenried which has just come to light and is now being published?



Carolina afforded him some aid in the publication of a "Collection of the Statutes of the Parliament of England" then in force and use within that state. In preparing that work he examined all the statutes from Magna Charta to the Declaration of Independence, and an arrangement of all of those which related to America afforded him a complete view of the colonial system of England. In 1803 he was employed by the same legislature to publish a revival of the acts of the general assembly, passed during the proprietary, royal, and state governments, and the local information he acquired in carrying into effect the intentions of those who employed him suggested the idea of collecting materials for a history of the state; and when afterwards he had the honor of representing the town of Newbern in the house of commons he was favored with a resolution of the general assembly authorizing the secretary of state to allow him access to the records of his office. In the speeches of the governors at the opening of the sessions of the legislature he found a reference to the principal transactions during the recess, and there were few important events, particularly relating to the state, which left no trace on the journals of the legislature, or the proceedings of the executive.

During several journeys which he afterwards made to several parts of the country, he received considerable information from individuals. Mr. George Pollock of Newbern confided to him an official letter book and several documents left by one of his ancestors who came to the county of Albemarle in the latter part of the seventeenth century, and who, in the beginning of the following, exercised the functions of chief magistrate over the northern part of Carolina. The late Governor Johnston, a nephew of Gabriel Johnston, who presided over the affairs of the province from the year 1734 to 1754 (*sic*); Governor Smith, who was in possession of the papers of President Rowan, and Governor Ashe, whose ancestors were among the earliest settlers of the country, afforded considerable materials. The gentlemen in possession of the records of the Quaker meetings in Perquimans and Pasquotank counties, and the head of the Unitas Fratrum, or Moravian Brethren, cheerfully yielded their assistance. . . .

The writer imagined he had collected sufficient materials to justify the hope of producing a history of North Carolina worth the attention of his fellow citizens, and he had arranged all those that related to transactions, anterior to the Declaration of Independence, when, in 1809, Mr. Madison thought his services were wanted, first in the Mississippi territory and afterwards in that of Orleans; and when the latter territory became a state, the new government thought proper to retain him.

He had entertained the hope that the time would arrive when, disengaged from public duties, he might resume the work he had commenced in Carolina; but years have rolled away without bringing on this period; and a shock his health has lately received during the year of his great climacteric, has warned him that the moment is arrived when his intended work must engage his immediate attention or be absolutely abandoned.

A circumstance, for some time, recommended the latter alternative. The public prints stated that a gentleman of known industry and great talents, who had filled a very high office in North Carolina, was engaged in a similar work; but several years have elapsed since and nothing favors the belief that the hopes which he had excited will soon be realized.<sup>1</sup>

<sup>1</sup>A. D. Murphey, see *post*.

This gentleman has made application for the material now published, and they would have been forwarded to him, if they had been in a condition of being useful to any but him who had collected them. In their circuitous way from Newbern to New York and New Orleans, the sea water found its way to them: since their arrival, the mice, worms, and the variety of insects of a humid and warm climate have made great ravages among them. The ink of several very ancient documents has grown so pale as to render them nearly illegible and notes hastily taken on a journey are in so cramped a hand that they are not to be deciphered by any person but him who made them.

The determination has been taken to put the work immediately to press in the condition it was when it reached New Orleans: this has prevented any use being made of Williamson's History of North Carolina, a copy of which did not reach the writer's hands till after his arrival in Louisiana.

The expectation is cherished that the people of North Carolina will receive, with indulgence, a work ushered to light under circumstances so untoward.

Very ample notes and materials are ready for a volume relating to the events of the revolutionary war, and another detailing subsequent transactions till the writer's departure from Newbern in 1809. If God yield him life and health and his fellow citizens in North Carolina appear desirous these should follow the two volumes, now presented to them, it is not improbable they will appear.

This long extract has been made from Martin's preface (the most remarkable blunders only being corrected in the copy) not to show how much material he had collected as to show what he had not done. He says that he had made some use of the legislative journals and documents then in the State, that he had seen Pollock's letter book and the records of the Quakers. A comparison of his account of that body with their records will show to what poor use he put the materials that he received. In fact, they show clearly that he either could not or would not tell the truth when he had it before his eyes. All things being considered, we may be thankful that his "fellow citizens in North Carolina" did not manifest enough interest in his compilations to encourage him to publish the other two volumes as he threatened.

Since this is the case, we may also exclude Martin along with Williamson from the ranks of those who collected and made use of any original materials in their work, beyond those that came immediately to their hands.

#### D. ARCHIBALD DEBOW MURPHEY.

The next historian whose work is treated in this survey belongs in an entirely different class from Chalmers, Williamson, and Martin. Before the name of Murphey all North Carolinians uncover. He had the instincts and feelings of the scholar, the enthusiasm of the collector, and, if judged by the outline of his proposed work, is the greatest of all

students of North Carolina history. In boldness of outline, in breadth of view and firmness of grasp of the subject as a whole, he surpassed not only his contemporaries, but all those who have come after. But it was Murphey's fate to be ahead of his day. The man was ready, but the times were not; he could not force them, and there were no disciples in that generation to take up the work of this protagonist of historical learning. His work as it has come down to us is hardly a torso, for of all the materials collected by him only a few fragments have been saved. But in the scope of his work Murphey was far ahead of all competitors and furnished a scheme of historical work which measures up to the modern German ideal of Social History—their *Culturgeschichte*. It covered every phase of the life of the State, and was so comprehensive that no succeeding writer has dared to undertake to fill in his outlines.

Murphey's career has another interesting phase in the fact that he was the first native historian of the State. We are able to give his own account of the development of his enthusiasm for the subject in his own words. In a letter to General Joseph Graham on July 20, 1821, he says:

\* \* \* Your letter to Col. Connor first suggested to me the plan of a work, which I will execute if I live. It is a work on the history, soil, climate, legislation, civil institutions, literature, &c., of this State. Soon after reading your letter, I turned my attention to the subject, in the few hours which I could snatch from business, and I was surprised to find what abundant materials could, with care and diligence, be collected; materials which, if well disposed, would furnish matter for one of the most interesting works that has been published in this country. We want such a work. We neither know ourselves, nor are we known to others. Such a work well executed, would add very much to our standing in the Union, and make our State respectable in our own eyes. Amidst the cares and anxieties which surround me, I cannot cherish a hope, that I could do more than guide the labors of some man who would take up the work after me and prosecute it to perfection. I love North Carolina, and love her the more, because so much injustice has been done to her. We want pride. We want independence. We want magnanimity. Knowing nothing of ourselves, we have nothing in our history to which we can turn with feelings of conscious pride. We know nothing of our State, and care nothing about it.

It adds to one's mortification on this subject, that the printers of this State are so little minded, that one will not copy from another any article of public interest which is communicated. If papers were sent for publication to New York, they would be copied from the New York papers in all the papers of this State; yet if sent to Raleigh, Hillsboro, Salisbury, &c., they will be found in only that paper to which they are sent. The editors at Fayetteville form an honorable exception. They search out and give place to everything they can find respecting North Carolina—a man can't write for every paper, and



no one paper has a general circulation—much more would be written, if all the papers would give it publicity, because more information would therefore be distributed through the community. We want some great stimulus to put us all in motion, and induce us to wave [*sic*] little jealousies and combine in one general march in one great purpose. \* \* \*

. . . Extracts from the work, as first written, without corrections, will be published in the (Hillsboro) *Recorder*.

In December, 1825, Judge Murphey presented his first memorial to the Legislature with the outline of his proposed History. This memorial is here reprinted from an original copy in the Mangum Correspondence. It includes a few manuscript corrections made by Judge Murphey:

*To the Honorable, the General Assembly of North Carolina, The Memorial of the Undersigned Respectfully shows,*

That he has been engaged for several years in collecting and arranging materials for an extensive Historical and Scientific Work on North Carolina. His success thus far has equalled his expectations; but he finds himself unable to prosecute this work to its completion, without the munificent aid of your honorable body. Few gentlemen in North Carolina have estates sufficient to bear the expenses and losses of such an undertaking. For independent of the direct expenses in travelling over several of the adjoining states, and carefully exploring every section of this State, for the purpose of collecting materials; and the further direct expense of engaging the services of eminent men in science, in the departments of Geology, Mineralogy and Botany, the author must in a great degree abandon all other pursuits and devote his time and attention to this alone. Such a work will be voluminous, and cannot be expected to yield a profit to the author, particularly if published in a style worthy of the State. Your memorialist herewith submits an outline of the plan of this work; and if your honorable body be disposed to patronize it, he solicits permission to have access to the public records of the State, and also solicits such aid in the prosecution of this work, as will enable him to complete it. When completed it will add something to the general literature of the country, and much to the credit of North Carolina.

A. D. MURPHEY.

Orange, 5th December, 1825.

#### PART I.

#### AN ACCOUNT OF THE DISCOVERY OF AMERICA.

The state of mathematical, astronomical, geographical and nautical science in Italy, during the pontificate of Leo the Tenth—The form of the globe and the revolution of the heavenly bodies, ascertained—The causes which induced men of science to believe that a continent existed to the west of Europe—Conjectures of Toscanelli on the discovery of a passage by sea to the East Indies—his correspondence with Columbus on this subject—Discovery of the Azores—Voyages of Columbus—Discovery of the West Indies and of South America—Voyages of John and Sebastian Cabot—Discovery of North America.

## PART II.

## THE ABORIGINAL HISTORY OF NORTH CAROLINA.

Fossil remains—The Indian tribes—Three great tribes, the Tuscaroras, the Catawbias, and the Cherokees—The territory possessed by each—Their wars—Decline of the Tuscaroras and Catawbias—Extent of the Cherokee dominion—Military force of those tribes—Numerous small tribes—Their names—Population—Settlements.

The moral, social and intellectual character of the Indian tribes in North Carolina—Their manners, customs, sports, mode of living—Their temper, hospitality, religion, superstition.

Their government and civil policy—Their manner of administering justice. Condition of their females—Marriages, divorces.

Religious ceremonies—Mournings for the dead—Feast of souls—Green corn dance, &c.

Their preparation for war—Songs—Dances—Their mode of warfare—Their treatment of their prisoners of war.

Similarity of the character of the Indian tribes, of their religion and religious ceremonies, of their government and manner of administering justice, of their manners, customs and sports, with those of the ancient Israelites.

## PART III.

## THE COLONIAL HISTORY OF NORTH CAROLINA.

1. Civil and military history—in which will be given a detailed account of the efforts to plant a colony in Carolina.
  - Of the charters which were granted for this purpose.
  - Of the expeditions of Sir Walter Raleigh, and his final success in planting a colony on the waters of the Chesapeake.
  - Of the life, character, trial and execution of this extraordinary and chivalrous man.
  - Of the proprietary government of the colony.
  - Of the royal government of the colony.
  - Of the frauds and corruptions of the officers of justice.
  - Of the progress of the settlements and formation of counties.
  - Of the different plans adopted for governing the colonies.
  - Of the vices of each plan of government.
  - Of the commencement and progress of the contest between the prerogative of the Crown and the liberty of the subject.
  - Of the exactions and frauds of Lord Granville's agents.
  - Of the rise, progress and termination of the Regulation.
  - Of the imprudent pretensions of the mother country, and the arbitrary acts of the colonial governors.
  - Of the firm and steady conduct of the colonial assemblies.
  - Of the open rupture between Governor Martin and the colonial Assembly—his withdrawal from the colony.
  - Of the assembling of a convention at Hillsborough in 1775—their acts and resolutions.

Of the assembling of a convention at Halifax in the spring of 1776, for the purpose of adopting a new plan of government.

Of the forming of the constitution of the State.

Of the organization of the new government.

Of the Declaration of Independence by the people of Mecklenburg County in 1775.

Of the Cape Fear Association.

Of the formation of Committees of Safety in the several counties—Their powers—The terror they inspired—The safety they afforded to the friends of the revolution.

Of the progress of public discontent.

Of the meeting of the Continental Congress at Philadelphia in 1775.

Of the articles of confederation.

Of the Continental Congress of 1776—Their acts.

Of the Declaration of Independence by Congress on the 4th July, 1776.

2. Historical view of the colonial legislation.
3. Judicial history of the colony.
4. History of manners, including a view of the state of slavery, during the colonial government.
5. History of religion in the colony—Feuds between the Episcopalians and the Dissenters—History of those feuds—Political effects produced by them.
6. History of the bills of credit emitted by the colonial assemblies—The amount of each emission—For what purposes emitted—Plans adopted for redeeming these bills—Pernicious effect of these emissions upon the morals and prosperity of the colony.
7. Territorial extent and divisions of North Carolina during the colonial government.
8. Statistics of the colony—Population—Military force—Revenue—Commerce—Produce of the soil—Of the forest—Of the fisheries—Of the iron mines, &c.

#### PART IV.

#### HISTORY OF NORTH CAROLINA FROM THE TIME OF HER BECOMING A SOVEREIGN STATE IN 1776.

1. Civil and military history of the State—including a general view of the British colonies from the treaty of 1763, to the Declaration of Independence in 1776.

An account of the war with the Cherokee tribe of Indians in 1776—The causes of this war—Simultaneous movements made by the States of South Carolina, North Carolina and Virginia, against the Cherokees—Incidents and events of these movements—Termination of this war—Treaty at the Long Island of Holstein—Various incidents during the negotiation—Political effects produced by this treaty—Safety thereby given to the frontier settlements during the Revolutionary war.

The friendship of the Cherokees further secured by the treaty of Watauga, entered into between them and Richard Henderson & Co. for the purchase of an extensive part of their lands—History of this purchase—Its extent—Terms—Refusal of the States of Virginia and North Carolina to recognize a right in individuals to make purchases of lands



from the Indian tribes—Memorial of Richard Henderson & Co. to the Virginia Assembly—Burke, afterwards governor of North Carolina, as counsel in support of the Memorial—The States claim the benefit of the purchase and each State gives to Richard Henderson & Co. 200,000 acres of land.

An account of the measures adopted by North Carolina for the prosecution of the war—Organization of her Continental Line—March of the regiments to join the Northern Army under Gen. Washington—Preparations for this march—State and condition of the troops as to clothing and equipments—Poverty of the State.

An account of the administration of Governor Caswell—Attempts made to embody the royalists in North Carolina—Assemblage at Moore's Creek Bridge—Defeat and dispersion of the royalists at that place.

Incidents and events of the war in the Southern Department—Measures adopted by the Assembly of North Carolina relative to the war—Depreciation of the Continental currency—Certificates issued in North Carolina, as the only expedient for prosecuting the war—The depreciation.

History of the Revolutionary war until its close—including a detailed account of the military operations in North Carolina during this period and of the measures adopted by the General Assembly.

Provisions made for the officers and soldiers of the Continental Line of North Carolina.

Condition of the State at the close of the Revolutionary war—Sacrifices made by the State in the contest—Number of troops furnished in the Continental Army—Amount of certificate debt incurred by the war.

State of society during the war—Suspension of the courts of justice—Energy of the Committees of Safety.

Progress of society and manners after the close of the war—Restoration of the authority of the law—Appointment of Alfred Moore, attorney general—Appearance of William R. Davie at the bar—Influence of these gentlemen upon the state of manners, and in inspiring respect for the laws and for courts of justice.

Political condition of the state from the close of the war to the meeting of the Federal Convention—Formation of the Federal Government—Proceedings of North Carolina on the Federal Constitution—Its adoption.

Cession of Tennessee to the United States—Causes which induced North Carolina to make this cession.

Establishment of the University of North Carolina—Funds set apart for endowing it—History of this institution—The difficulties it has encountered—Its resources, plan of education, present condition and future prospects.

Political history of North Carolina from the adoption of the Federal Constitution—Origin of political parties—Causes why North Carolina has not occupied her proper place in the Confederacy.

2. Historical review of the legislature of the State.
3. Judicial history of the State.
4. History of manners, including a view of the state of slavery, since 1776.

5. History of religion, and of religious sects since 1776.
6. Settlement of the boundaries of the State.
7. History of the certificate debt of the State; the various denominations of certificates—Amount of each—Objects for which each was issued—Plans for their redemption.
8. History of the paper currency of the State—Different emissions—Amount of each—Plan for its redemption—Effects upon the prosperity of the State.
9. The banking institutions of the State—Analysis of their charters—Amount of capital stock—Effects of these institutions upon the commerce, industry and general welfare of the State.
10. Statistics of the State—1. Population at different periods—2. Military force—3. Revenue—History of the department of finance—Sources of revenue—Amount—Expenditure—4. Commerce—Exports—Imports—5. Productions of the soil—6. Produce of the forest—7. Produce of the fisheries—8. Produce of the mines—1st, of the gold mines—2d, of the iron mines—9. Produce of the salt works.
11. Portraits of eminent men of the State, with their biography.
12. Map of the State, and maps of the several counties.

#### PART V.

#### PHYSICAL GEOGRAPHY, SOIL, CLIMATE AND METEOROLOGY OF NORTH CAROLINA.

Territorial extent and division of the State—Its boundaries—Latitude and longitude—Mountains—Rivers—Lakes—Sea coast.

Table of the latitude and longitude of the principal towns and remarkable places in the State.

Soil of the different counties.

Elevation of the mountains, table lands, valleys and alluvial region above tide water—Climate of each—Mean temperature of the climate at different periods of the year—Mean humidity of the atmosphere.

Amelioration of the climate by the clearing away of the forest—Diseases of the climate.

#### PART VI.

#### GEOLOGY AND MINERALOGY OF NORTH CAROLINA.

Physical structure of the State—The main ridge of mountains—The secondary ridges—The table lands—Valleys of the primary rivers—Alluvial region.

The general direction of the ridges of mountains, strata of rocks and veins of minerals.

Mineralogy of the State, including an historical account of the gold mines.

Physical history of the State—Changes in the primitive and secondary formations—Formation of the alluvial region—Effects of the Gulf Stream on this formation—Phenomena of the Gulf Stream—Subsidence of the

ocean—Rise of the alluvial region—Approximation of the beds of primary rivers, to a level, by the deepening of their beds in the primitive and secondary formations, and the rise of their beds in the alluvial regions. Geological map of the State.

#### PART VII.

#### BOTANY OF NORTH CAROLINA—THE SYLVA, FLORA, AND FUNGI OF THE STATE.

It does not appear that Judge Murphey expected his appeal to the Legislature to produce very valuable fruits, for he writes to Judge Mangum under date of December 20, 1825, and says with the spirit of the true collector:

"I have no idea that any such aid will be given as my work will require. I thought, however, public notice might be thereby drawn to the subject and some men be induced rather to send me their old papers and pamphlets than to cast them into the fire."

In his estimate of the Legislature he was not deceived. That body was niggard when it came to spending the money of the State in the patronage of literature and the fine arts. But since Murphey might be apparently favored without drawing on the exchequer of the State the Legislature agreed to allow him to make use of the public records and to organize a lottery:

#### AN ACT TO ENCOURAGE THE PUBLICATION OF AN HISTORICAL AND SCIENTIFIC WORK ON THIS STATE.

Whereas, It is represented to this General Assembly by Archibald D. Murphey, of the county of Orange, that he hath been for several years engaged in collecting and arranging materials for an extensive and historical and scientific work on this State, and that the completion of said work requires the aid of the General Assembly; and whereas the publication of such work is much desired, and would be useful and creditable to the State:

*Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the said Archibald D. Murphey be, and is hereby authorized to raise by way of Lottery from time to time, the sum of fifteen thousand dollars, for the prosecution and completion of said work.

II. *And be it further enacted,* That the said Archibald D. Murphey have liberty to examine the public records in the Executive office, and in the Offices of the Secretary of State and Comptroller, and also the files of the Senate, and of the House of Commons of the General Assembly, and to make therefrom such extracts as he may think proper.

III. *And be it further enacted by the authority aforesaid,* That it shall not be lawful under any pretence whatever, to have more than three classes of drawings of the said Lottery, for the purpose of raising the sum required by this act. [Ratified January 4, 1826.]



In the *Catawba Journal* for July 25, 1826, appears an announcement of the Lottery:

By authority of the State of North Carolina.

## LOTTERY

to encourage the publication of

## THE HISTORY OF NORTH-CAROLINA

HIGHEST PRIZE.



20,000 DOLLARS.

Drawing to commence in Hillsborough, on the 2d Monday of September next.

### SCHEME.

1	Prize of	20,000 Dollars is	\$20,000
1		10,000	10,000
1		5,000	5,000
1		2,000	2,000
2		1,500	3,000
8		1,000	8,000
10		500	5,000
20		200	3,600
40		100	4,000
50		50	2,500
450		20	9,000
1,050		10	10,500
7,366		5	36,830

9,000 Prizes. }	23,886 tickets at \$5 is 119,430
14,886 Blanks. }	

 Not two Blanks to a Prize. 

500 Tickets to be drawn in a day—to be completed in 18 days' drawing.  
All the numbers to be placed in one wheel, and the prizes in another.

## STATIONARY PRIZES AS FOLLOWS:

*The last drawn Ticket on the*

First day, will be entitled to a Prize of	\$200
Second day, . . . . .	500
Third day, . . . . .	500
Fourth day, . . . . .	500
Fifth day, . . . . .	500
Sixth day, . . . . .	500
Seventh day, . . . . .	500
Eighth day, . . . . .	500
Ninth day, . . . . .	1,000
Tenth day, . . . . .	1,000
Eleventh day, . . . . .	1,000
Twelfth day, . . . . .	1,000
Thirteenth day, . . . . .	1,000
Fourteenth day, . . . . .	1,000
Fifteenth day, . . . . .	1,500
Sixteenth day, . . . . .	5,000
Seventeenth day, . . . . .	10,000
Eighteenth day, . . . . .	20,000

The rest of the prizes floating in the wheel from the commencement, amounting to

\$73,730

Prizes payable at the Agency of the Bank of Cape-Fear, in Hillsborough. N. C., 30 days after the completion of the drawing, subject to a discount of 15 per cent. All prizes not demanded within 12 months from the completion of the drawing, will be considered as forfeited to the uses of the Lottery.

J. WEBB, *Commissioner*.

*Hillsborough, April, 1826.*

The attention of the North-Carolina public is respectfully invited to the foregoing scheme. The laudable purpose contemplated will, it is hoped, secure to it the aid of those who are friendly to the interests of literature and science; and the name alone of the gentleman who has consented to act as commissioner in the management of the Lottery, is a sufficient pledge of the fairness with which it will be conducted.

A. D. MURPHEY.

Tickets in the above Lottery are for sale at the Office of the Journal. Orders by mail, will be promptly attended to. (*Catawba Journal*, July 25, 1826.)

The drawing was under the direction of Dr. James Webb of Hillsboro, and was scheduled to take place on the second Monday in September; then it was postponed till the fourth Monday in November, but was again postponed. A note in the *Journal* for December 26 tells us why. Some of the agents had defaulted! It was encouragingly added, however, that returns were then coming in by every mail and it was

hoped to have the drawing toward the last of December or early in January. But the advertisement disappears after the issue of December 26, 1826, and the lottery was dropped.<sup>1</sup>

It will be noticed that this lottery was to be a purely local affair. It was a case of appealing to North Carolinians to support home industries. The result was unsatisfactory, for at the next session of the Assembly, in December-February, 1826-27, another act was passed on the same subject, but appealing to a larger constituency.<sup>2</sup> It precipitated, moreover (January, 1827), an extended discussion in the senate on the morality of lotteries. They were attacked as immoral by Mr. Hill of Franklin and defended by Mr. Leake of Richmond, Mr. Pickett of Anson, and Mr. Seawell of Wake, who argued at length that they stood in the same category as other business ventures where the element of chance was a factor. The bill in question was passed, but the debate indicates a turn in the tide of sentiment on the subject of lotteries. It is as follows:

AN ACT TO AUTHORIZE THE PRESIDENT AND DIRECTORS OF THE LITERARY FUND TO RAISE MONEY BY WAY OF LOTTERY, AND FOR OTHER PURPOSES.

*Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same,* That the President and Directors of the Literary Fund be, and they are hereby authorized to raise, by way of lottery fifty thousand dollars; of which a sum not exceeding twenty-five thousand dollars shall be applied by them toward aiding Archibald D. Murphey, of Orange County, in collecting material for, and publishing the history of North Carolina: But before the said money shall be advanced to him, he shall enter into bond to the governor, and his successors in office, in the sum of twenty thousand dollars, conditioned that if he shall die before the publication of the aforesaid, his executors or administrators shall, within one year after his decease, file in the secretary's office, for the use of the State, all papers, documents, records, pamphlets, and other materials, which he hath collected, or shall collect for said history, including his manuscript of said history.

II. *Be it further enacted,* That the residue of the money authorized to be raised by this act, shall constitute and form a part of the Literary Fund; and the President and Directors of said Fund are authorized to sell, upon such terms as they, or a majority of them, may deem expedient, to one or more persons, the privilege of raising, by lottery, the money aforesaid.

<sup>1</sup>Under date of Nov. 30, 1831, Murphey wrote Rev. Theodore Shulz that he had disposed of this lottery to Messrs. Yates & McIntyre of New York; that it would yield him about \$12,000, and that he had petitioned the assembly to enlarge the sum. See his petition of Nov. 29, 1831, following.—Hoyt's Murphey Papers, I. 395.

<sup>2</sup>Evidently in answer to Murphey's memorial to the assembly on Jan. 5, 1827, of which no copy has been found. See Hoyt's Murphey Papers, I. 347. Murphey says: "The work will be in Octavo Volumes, each Volume containing about six hundred Pages."



III. *Be it further enacted*, That no part of the said twenty-five thousand dollars shall be paid to the said Archibald D. Murphey, until he shall relinquish all right or claim to the privileges granted to him by an act, passed at the last session of the General Assembly, entitled "An act to encourage the publication of a historical and scientific work on this State"; And that said twenty-five thousand dollars, or so much thereof as the President and Directors of the Literary Board Fund may, in their discretion, think he will be entitled to, shall be advanced only as the work progresses. [Ratified Feb. 12, 1827.]

But the Literary Board also failed to secure the money desired, for in their report to the General Assembly dated January 3, 1828, they said:

By an act of the general assembly passed in the year 1826, the President and Directors of the Literary Fund were authorized to raise by way of lottery, the sum of fifty thousand dollars; one half of which was to constitute a part of the Literary Fund and the other half to be paid to A. D. Murphey, Esq., to aid him in his intended publication of the History of North Carolina. The Board regret to state, that in their efforts to accomplish the objects of this act, they have been unsuccessful. Letters were addressed to the principal brokers in the different cities of the United States, who had been engaged in purchasing the privilege of lotteries, inviting from them proposals for the one authorized by this Act. To all these letters answers were returned declining, for various reasons, to make any proposals. The Board believing that this was the mode in which the Legislature intended that the authority to raise money by lottery should be exercised, and unwilling to incur the risk and responsibility of drawing a lottery under their own superintendence, or that of agents appointed by them, without the special direction of the legislature, have declined to take any further steps in this business. If the general assembly should be still disposed to prosecute this plan, it is respectfully suggested that new provisions should be added to those contained in the act of 1826, and such as will readily suggest themselves to your honorable body, to inspire public confidence and prevent abuses and mismanagement in those who may be more immediately employed in the direction of the lottery. Upon this subject, as upon every other, this Board will cheerfully perform any duty and obey any instruction that you may prescribe.

There were present at this meeting of the Board Governor Iredell, John Louis Taylor, C. J., Bartlett Yancey, and William Robards.

Not overcome by the failures of the past, the restless soul of Murphey would not let him surrender without another effort. On November 29, 1831, he presented another memorial:

*To the Honorable the General Assembly of the State of North Carolina:  
The Memorial of Archibald D. Murphey of Orange County. Respectfully  
sheweth,*

That he has heretofore represented to the General Assembly that he has been for several years engaged in collecting materials for a correct history of North Carolina, and that he was unable to complete the work without liberal

pecuniary aid. The general assembly upon this representation passed an act authorizing him to raise by way of lottery the sum of fifteen thousand dollars, but restricted him to three drawings. This restriction and the smallness of the sum authorized to be raised put it out of his power to dispose of the lottery. A subsequent act was passed authorizing the president and directors of the Literary Fund to raise by way of lottery the sum of fifty thousand dollars, and to pay over to your memorialist one half thereof, but no steps have been taken to carry this act into effect. The labors of your memorialist have been suspended for several years past, by reason of severe rheumatism with which he was afflicted. Being at length relieved in a great degree from this painful disease, he is once more prosecuting the work, and he now solicits from the General Assembly that pecuniary aid without which no man of reasonable fortune can compile a History of North Carolina. The materials for our colonial history are deposited in the public offices in England, and among the early records of the states of Virginia, South Carolina and Georgia: And your memorialist entertained a hope, after the British Government, had upon the application of the general assembly consented that copies might be taken of all the documents and papers relating to our colonial history to be found in their public offices and after having made out an index of all these documents and papers and delivered the same to our ambassador in London for the information and use of your honorable body that you would have obtained copies at the expense of the state. Since the index has been received nothing further has been done on the subject; and your memorialist has concluded that the general assembly will not procure such copies. If sufficient aid be given your memorialist, he himself will proceed to London, or send an agent of intelligence to procure copies of the papers and documents aforesaid; and after writing our colonial history he will present them to the general assembly to be deposited in the public library. They will fill up many large volumes in manuscript. He will at the same time present to the general assembly several volumes in manuscript containing copies of such documents and papers relating to our history as he shall have been able to collect in this country. It is believed that the documents to be obtained from England, and those which have been and will be collected in this country, will fill more than twenty folio volumes. Your memorialist cannot set forth with any precision what it will cost to make his collection; but it is certain that it will cost a large sum. He asks for no appropriation from the treasury. It will, he hopes, answer his purposes to be authorized to raise a sufficient sum by way of lottery. And it being a matter of perfect indifference in the general assembly, whether he be authorized to raise fifty or twenty thousand dollars he prays that an act might be passed authorizing him to raise the former sum. Such an act will probably enable him through some of the brokers in the northern states to raise fifteen or twenty thousand dollars. And he prays that he may not be restricted in the number of drawings: Such a restriction will, under the act, be of no avail to him.

He further prays that he may have access to the papers and documents in the public offices in this city; and that he be permitted to take copies of such as he may require; and for this purpose to withdraw from the public offices such papers and documents upon his signing a receipt for and promising to return the same.—And your memorialist will ever pray.

In accord with the terms of this memorial there was presented—

A BILL TO ENCOURAGE THE PUBLICATION OF A HISTORY OF NORTH CAROLINA.

Whereas it is represented to this general assembly that Archibald D. Murphey of Orange County is engaged in compiling a History of North Carolina, and that he cannot complete the work without liberal pecuniary aid:

*Be it enacted by the general assembly of the state of North Carolina and it is hereby enacted by the authority of the same,* That the said Archibald D. Murphey be and he is hereby authorized to raise by lottery a sum not exceeding fifty thousand dollars to enable him to prosecute and complete said work. And that he shall have access to the public documents of the state with liberty to take copies of such of them as he may require; and for this purpose to withdraw for a short time from the public offices said documents upon his signing a receipt for the same.

The committee to whom the bill was referred reported—

That however anxious they are to see a correct History of North Carolina, yet a failure of a similar attempt made by the petitioners, not many years since, connected with the system of hazard, contemplated in the Memorial, upon the morality of the community, induces your Committee to return the Bill and Memorial to the house and recommend its rejection.

For what was History to this Committee or this Committee to History? But after all, the Committee was only acting according to its lights. In 1790 the total expenses of the State government was \$41,480, of which \$24,000 represented the cost of the legislature; in 1828 they were in round numbers, excluding cash investments by the State and old money condemned and burned, respectively \$77,000 and \$36,658; in 1829, \$85,000 and \$39,704; in 1830, \$86,000 and \$39,727, etc. No wonder Governor Swain could say in his message of 1833 with irony the more biting because perhaps unconscious:

The apathy which has pervaded the legislation of half a century is most strikingly exhibited by the fact, that the mere expenses of the general assembly have ordinarily exceeded the aggregate expenditures of all the other departments of the government, united to the appropriations which have been made for the purposes of internal improvement. That government cannot be wisely administered where those who direct the expenditures of the public treasure receive more for this service than the amount of their disbursements.

In recurring to the same subject again in 1835, speaking in general terms and coming near enough the exact truth to make the criticism the sharper, he said that the annual imposition of taxes amounted "to less than \$100,000, one-half of which constituted the reward of the



legislative bodies by which they were levied," and this he added had been the characteristic of "our state legislation during the first half century of our political existence."<sup>1</sup>

With this adverse report on the work which he hoped to undertake for North Carolina, the first and greatest of her native historians stepped off the stage and died soon after, broken in fortune; the materials which he had collected were scattered, and because he was ahead of the age in which he lived, his work came largely to naught.

But at any rate the work of Judge Murphey served to induce General Graham to commit his experiences in the Revolution to paper, and these have been recently gathered and published. Through the efforts of Murphey also some of the Davie papers were saved, and in recent years a descendant of his own, moved by the same spirit, has gathered and is now publishing what is left of his historical work and correspondence.<sup>2</sup>

### III. THE WORK OF THE STATE.

#### A. THE STATE RENEWS ITS EFFORTS, 1826-1854.

But although Murphey failed to secure the help he asked from the assembly, he did what was of still more importance, he aroused that body to a partial realization of the necessity of concerted action on part of the State looking towards the gathering of historical materials for the use of future students.

Into the assembly of 1826-27, on February 9, 1827, John Scott, member of the house from Hillsboro, the home town of Judge Murphey, who was back of the movement, introduced a resolution which ultimately became a law and is as follows (Acts 1826-27, p. 85):<sup>3</sup>

That his Excellency the Governor of the State be requested to make a respectful application to the British Government for liberty to procure, for the use of the State, from the office of the Board of Trade and Plantations, in London, copies of such papers and documents as relate to the Colonial history of North Carolina.

*Resolved further*, That the application aforesaid be made through the American Minister in London, and that he be requested to lend his aid to carry the foregoing resolution into effect, and to obtain for the agent who may be employed in this service the necessary facilities of procuring such copies.

<sup>1</sup>House Journal, 1835, p. 100.

<sup>2</sup>The Murphey Papers, edited by his great grandson, William Henry Hoyt, for the North Carolina Historical Commission, 2 v., in press. They contain many interesting references to Murphey's historical activities.

<sup>3</sup>See Scott's letter of Feb. 14 to Murphey. In a letter to Murphey, dated Washington, Dec. 4, 1826, Edward Everett says: "Would it not be worth while, with a view to a revision of our early colonial History, to endeavor to have the Records of the Plantation office at London examined?" Query: Is this the germ of the Act of 1827? —Hoyt's Murphey Papers, I. 346, 350.

The correspondence growing out of this resolution is as follows:

*Governor Burton to Hon. Henry Clay.*

EXECUTIVE DEPARTMENT, No. CA.

RALEIGH, 19th April, 1827.

SIR,

Enclosed is a communication addressed to Mr. Gallatin, containing certain resolutions adopted by the General Assembly of this State, at its last session. The object is, to obtain information connected with the history of this State, deposited in the office of the Board of Trade and Plantations in London. You will be pleased to have the same immediately forwarded to Mr. Gallatin.<sup>1</sup>

*Governor Burton to His Excellency A. Gallatin.*

EXECUTIVE DEPARTMENT, No. CA.

RALEIGH, 19th April, 1827.

SIR/

In compliance with the enclosed resolution of the Legislature of North Carolina, I hope to obtain your assistance in procuring from the British Government, copies of such papers and documents, relating to the history of this State, as may be found in the office of the Board of Trade and Plantations in London. It is regarded as a matter of much importance to obtain this information, as we have no tolerable history of our State. Your attention to this subject will confer an obligation not only on the State, but individually on Your's.<sup>2</sup>

*Henry Clay to Governor Burton.*

DEPARTMENT OF STATE,

WASHINGTON, 25 April, 1827.

DEAR SIR,

I have had the pleasure of receiving your letter, of the 19th inst. enclosing one for Mr. Gallatin, the object of which is to obtain, as you state, through his good offices, from the British Government, information, deemed important by your Legislature, concerning the History of North Carolina; and I will take equal Pleasure in causing that letter to be immediately forwarded to Mr. Gallatin.<sup>3</sup>

*Albert Gallatin, U. S. Minister, to Governor Burton.*

LONDON, August 25, 1827.

SIR: I had the honor to receive your Excellency's letter of the 19th April last, enclosing a copy of the resolution of the General Assembly of North Carolina of February 9th, and requesting me to apply to the British Government for liberty to procure, for the use of the state, from the Office of the Board of Trade, copies of such documents as relate to the colonial history of North Carolina.

I lost no time in taking the steps necessary to carry into effect the object in view, and found, on enquiry, that there were two offices, where papers relative to colonial transactions were deposited, viz., that of the Board

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<sup>1</sup>Executive Letter Book, p. 105.

<sup>2</sup>Executive Letter Book, p. 105.

<sup>3</sup>Executive Letter Book, p. 105.

of Trade, and the "State Paper Office," which is the common place of deposit for the Archives of the Home, Foreign and Colonial departments, and is under the superintendence of the Secretary of State for the Home department.

Application was accordingly made, officially, to the Foreign Office, and at the same time to the Departments themselves that had the control over the papers. And I am happy to say, that I met, in every quarter, the most liberal disposition to grant the request and to afford the necessary facilities of procuring the copies asked for.

Assurances were received of the readiness of the Lords of the Board of Trade to accede to the wishes of the General Assembly of the state. With a view to that object, a copy of Indexes to the Records, as had reference to the Province of North Carolina, was prepared, in order that the documents of which copies should be wanted might be pointed out. And their Lordships will give directions accordingly, whenever they shall have received the necessary information. Copies of the letter of the Secretary of the Board and of the Index (Nos. 1 and 2) are herewith transmitted. There will be found amongst the records of the Board, under the heads of "Carolina" and "Properties," documents, of a date prior to the year 1729, that relate to North Carolina and are not included in the Index. I have no doubt that copies of these will also be obtained: but the selection will require some time and must be left to the agent.

Lord Dudley, principal Secretary of State for Foreign Affairs, informed me that directions would be given to the keeper of State papers to permit an authorized agent to take copies of any of the documents mentioned in a list which he enclosed. Copies of his letter and of the list (Nos. 3 and 4) are also transmitted.

This communication has been delayed some time in order to have copies taken of the Index, list and correspondence. They are deposited in the Archives of this Legation, and will not be forwarded as duplicates, unless those now sent should miscarry; as it may be convenient to have them here, in case the state should, instead of sending an agent, think it sufficient to request the minister of the United States for the time being at this place, to obtain copies of the documents wanted. This I mention only in case the expense should be an object; for the work will probably be more completely executed under the superintendence of the person appointed for that special purpose. It must of course be understood that, in any case, the expense of clerk hire for taking the copies must be defrayed by the state.

*Mr. Thomas Lacke, Secretary of the Board of Trade, to Albert Gallatin.*

OFFICE OF THE COMMITTEE OF PRIVY COUNCIL FOR TRADE,  
WHITEHALL, 11th July, 1827.

SIR: The Lords of the Committee of Privy Council for Trade, having had under their consideration the copy of a resolution of the state of North Carolina, (inclosed in your note to the Right Honorable Wm. Huskisson, of the 10th June,) requesting that application be made to this Board for copies of such papers and documents as relate to the colonial history of North Carolina; I am directed to convey to you the assurance of their Lordships' readiness to accede to the wishes of the Assembly. And with a view to this object, I have the honor herewith to transmit, by their Lordships' directions a copy of such



portions of the Indexes to the records in this office as have reference to the province of North Carolina, in order that an opportunity may thereby be afforded to the Assembly, of pointing out those documents of which they may wish to receive copies. And I am to add, that, whenever their Lordships shall have received the necessary information on this head, they will give directions accordingly.

*Lord Dudley to Mr. Gallatin.*

FOREIGN OFFICE, August 2, 1827.

SIR: I have the honor to acknowledge the receipt of your note of the 11th June, containing a request on the part of the governor of North Carolina that an agent of that state might be allowed to procure copies, from the proper Office in London, of such papers as relate to the colonial history of North Carolina.

I lost no time in referring your application to the proper departments, and beg leave to acquaint you, in answer thereto, that directions will be given to the keeper of the State Papers to permit an authorized agent on the part of the American government to have access to, and make copies of any of the documents mentioned in the list which I have the honor herewith to inclose.

Such papers bearing upon this subject as are in the custody of the Board of Trade are not included in this list, as I am informed that Mr. Grant, the vice president of that Board, has already communicated directly with you upon the subject of them.<sup>1</sup>

The Index prepared in the British offices at the request of Mr. Gallatin was duly received in North Carolina and placed among the archives of State, but nothing further was then done towards copying the documents in question, and for some years the Index seems to have been forgotten. Finally in 1843 (January 26), through the influence, it is said, of Col. John H. Wheeler, then State treasurer, the following resolution was put through the Assembly:

*Resolved*, That the treasurer of the State be, and he is hereby authorized to have printed, upon terms the most favorable to the State, a manuscript volume in the Governor's office entitled, "Indexes to Colonial Documents relative to North Carolina"; and that he deposit ten copies, together with the original manuscript volume, in the State Library.

The little volume appeared the same year with the full title:

"Indexes to documents relative to North Carolina during the colonial existence of said State; now on file in the offices of the Board of Trade and State Paper offices in London; transmitted in 1827." (Raleigh: T. Loring. 1843. 8°, pp. 120.)

<sup>1</sup>The liberality of the English authorities in granting this permission to the State of North Carolina to make copies of State papers seems the more remarkable when we recall that such permission was refused to Peter Force in the thirties and that it was only with the greatest difficulty that it was secured by Brodhead in 1842.

With the publication of this Index the first chapter in the State's efforts to preserve its history was ended.

Between 1827 and 1843 there was little mention and less discussion in the assembly of North Carolina in regard to the records of the past. And yet the subject was not entirely dead. Such occasional references as do occur to the subject are here reproduced chronologically to show that there was at least a saving remnant who had not entirely forgotten their obligations to the fathers.

*Message of Governor Montford Stokes to General Assembly of 1831.*

A resolution of the last General Assembly directed the Governor to "cause to be published in pamphlet form a Report relative to the Declaration of Independence by a Committee of Mecklenburg County, with the documents accompanying the same; and also the Journal of the Provincial Assembly of 1776; together with the Proceedings of the Cumberland Association." This publication has been made in a manner that, I trust, will meet with the approbation of the Legislature; and the copies have been distributed in the manner directed.

In 1831 (June 12) the State Capitol was destroyed by fire and with it the State Library and much documentary material. The State made an effort at once to restore this loss. The assembly of 1831-32 passed the following resolution:

Whereas, by the fire which destroyed the Capitol in the city of Raleigh, the Library of the State was consumed, and with it the journals of the general assembly belonging to the State which have been printed from the commencement up to the year one thousand eight hundred and thirty. And whereas it is important to secure, for the use of the state, one or more copies of the same. And whereas it is deemed practicable to do so now, by a timely effort, without the expense of reprinting the said journals from the original manuscripts. And whereas, also, by the same fire, all the printed private acts of the general assembly, belonging to the State, have been consumed for the same period; and the public convenience would be promoted greatly if they could be restored, as well as one or more copies of the public laws, as originally printed and circulated from year to year.

*Be it therefore resolved by this general assembly,* That the governor shall appoint some person resident in the city of Raleigh, who shall under his direction, correspond with persons in different counties of this state, from whom or by whose agency it is probable that the said printed journals of the general assembly, and the laws as annually printed, can be procured, so as to compile one or more sets for the use of the State, and to procure them either by donation or purchase from the scattered individuals in the State who may have the same and will consent to part with them.

*Be it further resolved,* That the governor is hereby authorized to draw on the public treasurer, in favor of the commissioner aforesaid, for the prices

he may agree to pay for said journals and laws, and for the expenses he may incur by the execution of the trust hereby vested in him.

*Be it further resolved*, That the said commissioner shall be paid for his services such sum as the next general assembly may deem to be reasonable, after a consideration of his trouble and care in the premises.

Here surely is wisdom, here is knowledge. Think of it! an official Collector of Caroliniana for the State in 1832 with the State's purse behind him and no limitation on the prices he might pay! The liberality and progressiveness of this action was on a par with that other single instance of bibliomania shown in Raleigh about 1820 when the State at a public auction dared to pay \$60 for a copy of one of the early editions of Lawson's History of North Carolina.

Governor Stokes very wisely chose Joseph Gales, Sr., to carry out this trust. He met with success, as the copies of these laws and journals in the State Library to-day will testify, and as will be seen from a resolution passed by the assembly of 1832-33 in regard to the donation of Isaac T. Avery. The latter assembly also allowed Mr. Gales \$225.30 "for his expenses and services"—a rather liberal sum for the State and the time.

Another natural result of the burning of the Capitol was the total disarrangement of all the archives that were saved. Of the work of rearrangement Governor Stokes says in his message of 1832:

The resolution directing the "employment of an agent to arrange in order all the papers belonging to the senate and house of commons and others, which were saved during the conflagration of the state house, and that they be delivered to the proper officers of the State" has been complied with so far as the assorting and arrangement; but owing to the want of sufficient cases and shelves in the government house to hold the papers belonging to the senate and house of commons, they have been carefully labeled and filed in a room in the office of the secretary of state. . . . This arrangement was a laborious one . . . performed by . . . Mr. Williams R. Hill, the former Librarian of the state.

The assembly of 1832-33, in response to a suggestion contained in the annual message of David L. Swain, then governor, passed a resolution instructing the governor to obtain a sufficient number of copies of the map of the State recently published by John MacRae, and to send one copy to the District of Columbia, and one to each of the states and territories of the Union. The State had previously made a loan of \$5,000 to MacRae to help him in the publication of his map.

In compliance with this resolution Governor Swain reported to the next assembly:



In compliance with a resolution passed at the last session of the general assembly I have purchased and transmitted to the executive department of each state and territory in the Union, a copy of MacRae's map of this State. I cannot permit myself to allude to this subject without venturing to suggest that if a copy were procured at the public expense and forwarded to each of the clerks of our superior courts to be placed in their respective court-houses, it might have a tendency to diffuse more generally among our citizens correct knowledge of the geography of our state, and discharge in some degree the obligation which the community is under to the enterprising publisher.

Governor Swain was also wisely interested in the body of statute law of the State and saw the necessity for a thorough and scholarly revision. To the assembly of 1833-34 he said:

Our revised code, as it is termed, commences with the provincial laws passed by the General Assembly which sat at Little River in 1715, omitting the entire legislation of the mother country with regard to this state, during a period of 490 years, and embracing more than a hundred entire statutes or parts of statutes. Of these, many relate to the criminal law of the country, several create capital felonies or punish capitally, offences that were previously subject to a milder penalty; and yet, it is believed that complete copies of these enactments are not to be found in half a dozen libraries in the State. A part of those in force, and many not in force, were published in Newbern, thirty years since, but the work did not equal public expectation and is now out of print. The lives, the liberty and property of our citizens are thus subject to the enactment of a government, widely dissimilar from ours, which few have read, or had it in their power to read. The legislation of nearly five centuries is a sealed book to the great body of the community, and in some degree, even to the profession whose interest and duty render the study of law the business of life. It is but a short time since the question, whether a statute regulating the trial of an individual for a capital felony was in force in this state, became the subject of solemn argument before the supreme court, and called forth directly opposite opinions from the judges. The truth is, that not only the source but the very existence of our statute law is, as remarked by an elegant writer, with regard to the common law, "as undiscoverable as the sources of the Nile." In such a state of things, the expounder of the law alone is safe. The executive and legislative departments of the government cease to coördinate with the judiciary, since the latter has not only the right to construe the whole body of legislation, but the privilege of declaring the existence within this state of any portion of the immense mass of British statutes, enacted anterior to the period when we begin to legislate for ourselves. . . . The task of revising and expense of publishing this code would be of little moment in comparison with its importance. . . .

A judicious legal reform, should, however, extend to all the subsequent enactments by which we are governed. Competent judges entertain the opinion that the bulk of our statute book might be lessened at least one third by a repeal of statutes which are in effect obsolete, and others, the object of which has been attained by the subsequent enactments. The whole of the legislation from 1715 to 1777, with the exception of the statutes of limitation,

the registry acts, and a few others, might with propriety be expunged from our code, as surplusage. Many subsequent acts, and some of them connected with the criminal law, should share a similar fate.<sup>1</sup>

In the Senate of 1834 Mr. Wilson of Perquimans presented the following resolution *in re* the preservation of the records of Revolutionary soldiers:

*Resolved*, That the secretary of state be required to compile and prepare for publication, the names and grades of all the officers of the Continental line of the state of North Carolina in the Revolutionary war, from ensigns upward who served to the close of the war; together with those killed in service, and who do not appear to have received commutation.

*Resolved*, That the public printer be required to print and publish, as an appendix to the acts of the Assembly, which may be passed during the present session, the list of names and grade of all the officers of the Continental line of the state of North Carolina in the Revolutionary war, from ensigns upward, who served to the close of the war; together with those killed in service, and do not appear to have received commutation. The said list to be furnished said printer by the secretary of state.

*Resolved*, That the secretary of state be allowed the sum of ten cents per copy sheet, for compiling and preparing for publication, the aforesaid list.

These resolutions were read the first time and passed; and being read the second time, Mr. Hogan moved to amend the second resolution, by inserting after the word "commutation" the following words: "Also such officers as served during the war and were ruled out"; which amendment was agreed to. Whereupon, on motion of Mr. Wilson, ordered that the resolution lie on the table.<sup>2</sup>

From 1833-34 to 1842-43 there seems to have been no effort along the lines of gathering, preserving or printing historical materials so far as the journals and documents and laws of the assembly show. As we have already seen, Col. Wheeler was instrumental in 1843 in securing the publication of the Indexes to Colonial Documents. He was then collecting materials for his Sketches of North Carolina and this duty brought him to an examination of the sources so far as the Indexes would permit. Within the next few years, he says, he sent to "a distinguished friend" in London [George Bancroft] a list of such of these papers as seemed to him of most importance. Copies of these were procured and made use of in his History. This volume of transcripts, a folio of some 500 pages, was in existence some 15 years since and was seen by this writer. The material which it contains having since appeared in this series the manuscript volume no longer has value save

<sup>1</sup>House Jour., 1833-34, pp. 135-6.

<sup>2</sup>Sen. Jour., 1834, pp. 45-46.

for sentimental reasons. It may be interesting to add right here that about 1864 Colonel Wheeler sailed to England to renew his researches in the English archives. The material obtained was to be used in a new edition of his History. This revised edition was never published and so far as known any materials thus secured were never of any service to the state except so far as used in his Reminiscences.

The publication of the Indexes to Documents seems to have again awakened interest in the subject of state history.

In his biennial message to the assembly of 1844-45 Governor John M. Morehead says:

As long as the American Union shall endure, so long will the history of the establishment of American Independence be a subject of deep interest to every patriot. The Revolutionary history of this state is fraught with incidents of the deepest interest, and does honor to our patriotic sires. While another state boasts of being the cradle of Liberty, North Carolina alone can boast of possessing its birth place. It was on her soil, on the 20th of May, 1775, that her sons reared the standard of Liberty, boldly declared their independence of the British Crown; and declared themselves "a free and independent people," "a sovereign and self-governing association." We are wholly unworthy such illustrious descent, if we neglect to preserve by all means in our power, the history of the gallant deeds by which they sustained that declaration.

The Index to the Colonial Documents of our State, printed by order of the last Legislature, to which I refer you, shows that very important historical information relative to this State, may be obtained from the archives of the British Government. Access to these archives has been generously tendered by that Government to this state; and permission granted to take copies of any documents we desire. It is believed that an agent, well qualified for the purpose, can be found who will proceed to England and procure such copies as may be deemed useful, for a sum but little exceeding the expenses of the trip and pay to clerks for making the copies. It is submitted to you whether it is not due to ourselves to send an agent.<sup>1</sup>

The legislature, while ignoring the suggestion that an agent be sent to England as urged in Governor Morehead's message, was nevertheless desirous that something should be done to forward historical interests, and so passed the following resolution:

*Resolved*, That his excellency the governor be, and he is hereby authorized and empowered to collect, if possible, such papers as may be necessary to complete the series of [Governor's] Letter Books, and have them copied and arranged under his supervision, and to obtain, as far as practicable, either the original papers or copies of the proceedings of the several towns, county and district committees, organized in the province in compliance with the recommendation of the Continental Congress of 1774, for the purpose of carry-

<sup>1</sup>Legislative Documents of 1844-45, pp. 13-14.



ing into effect the articles of American Association, and the proceedings of the various Committees and Councils of Safety subsequently convened under the authority of the provincial legislature. And that he be and is hereby authorized to draw upon the treasurer of the State, from time to time, for such amounts as may be necessary to meet the expense incurred in the discharge of the duty assigned him, provided the expense does not exceed five hundred dollars. [Ratified Jan. 10, 1845.]

Governor Swain gives us the story of the greatest historical "find" during this period:

*D. L. Swain to Governor Graham.*

CHAPEL HILL  
June 9th, 1845.

MY DEAR SIR

Since your departure I have received from Dr. Webb a box of Papers. Scarcely less in magnitude than the one sent you a short time since which I at that time supposed contained all Gov Burks papers. I have as yet given but a very cursory examination to the Second Series, but have found some of great historical value. Among them is autograph of John Adams of 8 pages, presenting his views with respect to the form of government, but [best] calculated to secure the happiness at the request of the people. It was furnished at the request of Gov. Burke and is without date, but is probably older than any of our State Constitutions. There are several interesting letters from Gov. Johnston, and one written in 1777, presenting unfavorable Auguries of our new State Constitution, which had just gone into operation, and a severe critique, on the first legislative body organized under it, which was then in Session. The more I consider the subject the clearer are my convictions that nothing should be recorded until the collections are as complete as it may be possible to make them. "Every thing throws light upon every thing"; if the necessary papers cannot be obtained, the mere knowledge of what they consist might enable you to edit the volumes to be prepared under your direction, and in a much more satisfactory manner.<sup>1</sup>

In a message to the assembly of 1846-47<sup>2</sup> Governor Graham tells the general results of the efforts to carry the Resolution into effect:

By a resolution of the last session of the legislature, the governor was authorized and empowered to collect such papers as might be necessary, to complete the series of Letter Books in the executive office, and have them copied and arranged; and to obtain, as far as practicable, either the original papers, or copies of the proceedings of the several town, county and district committees, organized in the province of North Carolina, in compliance with the recommendation of the Continental Congress of 1774; and the proceedings of the various committees and councils of safety, subsequently convened under the authority of the provincial legislature. And an appropriation was made to defray the expenses which might be thereby incurred.

Soon after their adjournment, a notice of this resolution was published in all the newspapers of the state, of which a copy is transmitted herewith.

<sup>1</sup>Executive Letter Book, Graham, page 228.

<sup>2</sup>See Exec. Docs., 1846-47, No. VIII.

The period for which no Letter Books are preserved, extends from the organization of the present government in 1776 to 1784, and comprises the administrations of Governors Caswell, Nash, Burke and Martin.

The correspondence of Governor Burke, preserved by his only descendant until her removal from the state, and then left in the possession of a highly respectable citizen of the county of Orange, was readily obtained, and was found to be a most interesting contribution to our Revolutionary history. Finding that he was a distinguished member of our own provincial congress, a delegate from the state to the Continental Congress from 1776 continuously, until he was elected governor in 1781, and that during a part of the year for which he had been chosen to the latter office, he was detained as a prisoner at James' Island, near Charleston, S. C., by the British commander, having been captured in a descent of the Tories upon the town of Hillsboro, and that his correspondence threw much light upon the history of public events, both state and continental, during this whole period, I directed it to be transcribed entire, at an expense of \$225. The two folio volumes in which the transcript is contained, are in this office, and will well repay a perusal by any reader, and furnish abundant resources to the future historian. It is regretted, that a most interesting portion of the letters of Mr. Burke, were not discovered in time to be copied in their chronological order in these volumes. It consists of his letters, while a delegate in the Continental Congress, to Mr. Caswell, then governor of the state, on the condition of public affairs from 1776 to 1780, and contains sketches at some length, of the debates of that body, which sat with closed doors. It seems that the proceedings were required to be kept secret until final action on any measure, but not afterwards. And that his memoranda were preserved, and furnished the basis of reports to the governor, of the debates on all subjects of interest. These letters have been discovered among the papers of Governor Caswell and will be copied with them.<sup>1</sup>

A memorandum of the latter gentleman, left with his family, and describing his papers "deposited in the office of Secretary of State, at the request of the legislature," has led to the discovery in that office, of all these documents in a good state of preservation. My own leisure has not been sufficient to make the selection from these, and give directions to have them transcribed. And it is my intention, to place them in the hands of a gentleman, who has paid much attention to that period of our history, that they may be properly revised and copied.

Of the letters of Governor Nash, and the first year of the administration of Governor Martin, I have been able to procure but few. These however, which relate principally to the British invasion in 1780-81, are of deep interest, and serve to increase our regret that the residue have not been preserved.

I have not been so fortunate as to collect any documents of the kind mentioned in the latter branch of the resolution of the Legislature, i. e. the records of the town, county and district meetings, except those pertaining to the memorable Declaration of Independence, in Mecklenburg in May, 1775, from which the publication of the legislature was made on that subject in 1831. After that pamphlet was compiled, the various original papers referred to in it, were returned by Governor Stokes to Dr. J. McKnitt Alexander, of Mecklenburg, at the request of the latter, by whom they had been collected and

<sup>1</sup>These letters are at times so severe in their criticisms of the Continental Congress that some modern students have dubbed Governor Burke the first nullifier.

furnished to the general assembly. These were obtained from the family of the only son and executor of Dr. Alexander (both father and son being now dead,) in the autumn of 1845, and are now in this office.

I respectfully recommend to your consideration, whether it is not expedient to publish a new edition of this pamphlet, with notes containing the additional evidence of the authenticity of the declaration. And also the journals of the various provincial congresses and committees of safety, from 1774 to 1776 inclusive, together with the journal of the Board of War alluded to in the advertisement appended hereto.<sup>1</sup> I am satisfied from a casual reading of these latter papers, that no state of the original thirteen, can boast of a documentary history, more creditable to itself for spirit, statesmanship, or enlightened love of freedom, and a valorous defence of it, than is to be found in these unpublished manuscripts.

The result of this message and recommendation was the introduction of a resolution into the House by Mr. Ferebee which became a law as follows:

RESOLUTION RELATING TO THE PUBLICATION OF DOCUMENTS  
ILLUSTRATIVE OF THE HISTORY OF THE STATE.

*Resolved*, That his excellency the governor be, and he is hereby authorized and empowered, to collect, arrange and publish a new edition of the pamphlet, containing the documents pertaining to the declaration of Independence in Mecklenburg in May, 1775; also the journals of the various provincial congresses, and committees of safety from 1774 to 1776, inclusive, together with the journal of the Board of War, alluded to in the advertisement appended thereto: also the class of documents relating to the period which preceded the organization of the state government, under the constitution. from 1774 to December, 1776, consisting of, first, a Provincial Convention or Congress, at Newbern, on the fifth of August, 1774; second, a similar Convention at the same place, 3d April, 1775; third, a Congress at Hillsborough, 20th August, 1775; fourth, a Provincial Council at Johnston Court House, 18th October, 1775; fifth, a Provincial Council at Johnston Court House, 18th December, 1775; sixth, a Provincial Council at Newbern, 28th February, 1776; seventh, a Council of Safety at Wilmington, 5th June, 1776; eighth, the Journal of the Congress or Convention at Halifax, 12th November, 1776; and such other documents as may be illustrative of the early history of North Carolina, and which have not been published, at the discretion of the governor.

*Resolved further*, That his excellency the governor be, and he is hereby authorized and empowered, to draw on the treasury for a sum, not exceeding \$600 of any unappropriated money that may be in the treasury at the time. for the payment of said publication. [Ratified Jan. 18, 1847.]

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<sup>1</sup>The advertisement mentioned here is an open letter addressed by Governor Graham to the people of North Carolina through the newspapers and dated March 1, 1845. In it he recites the resolution of the Legislature of 1844-45, tells the character of the material wanted, mentions the fact that some of the letter books of the governors had already been located and calls on patriotic "gentlemen in the different counties, where such memorials exist, who have leisure and take an interest in such investigations . . . to lend their aid in seconding the efforts of the government to rescue from oblivion these honorable testimonials of our Revolutionary history." It is reprinted in the Public Documents for 1846-47.



The instructions given to the governor in this resolution were never carried out by him and no publication of the kind intended was ever made. The reason for the delay will become apparent later, and was no doubt due to the condition of the materials.

The interest of the State in its past was now being aroused and the agitation was not allowed to cease.

In a message to the assembly of 1848-49 Governor Graham transmitted a petition from John H. Wheeler, with a letter from George Bancroft, then the American minister in London, in reference to procuring copies of North Carolina documents, records, etc., from the archives of Great Britain.

Mr. Bancroft's letter was dated London, July 4, 1848, and was addressed to Governor Swain. He says in part:

. . . You may be sure that I have spared no pains to discover in the British State Paper Office a copy of the Resolves of the Committee of Mecklenburg; and with entire success. . . . I have read a great many papers relating to the Regulators; and am having copies made of a large number. Your own State ought to have them all, and the expense would be for the State insignificant, if it does not send an agent on purpose. A few hundred dollars would copy all you need from the State Paper Office on all North Carolina topics. The Regulators are, on many accounts, important. Their complaints were well founded, and were so acknowledged, though their oppressors were only nominally punished. They form the connecting link between resistance to the stamp act, and the movement of 1775; and they also played a glorious part in taking possession of the Mississippi Valley, towards which they were carried irresistibly by their love of independence. It is a mistake, if any have supposed, that the Regulators were cowed down by their defeat at the Allernance. Like the mammoth, they shook the bolt from their brow and crossed the mountains.

The message of the governor, with its accompanying papers, was referred to a select senate committee consisting of Messrs. William H. Washington, William B. Shepard, William S. Ashe, Joseph Halsey and Stephen Graham.<sup>1</sup> They brought in a report as follows:

The Committee to whom was referred the communications of the governor in relation to the colonial and revolutionary history of North Carolina, ask leave to report.

The committee have ascertained from the documents before them and from other sources, that the records of the early history of North Carolina can only be procured in the colonial office in England. From this fact it has arisen, that no historian who has hitherto undertaken to write the history of North Carolina, has ever had it in his power to present the truths of history in such a manner as to render justice to the State. Mr. Bancroft, our miu-

<sup>1</sup>Senate Journal, 1848, pp. 125, 138, 145, 157.

ister at London, says in the accompanying letter that he has examined with much care, the documents in relation to North Carolina, and that he found them of great interest. No authority could be more satisfactory on such a subject than that of Mr. Bancroft, who . . . says in this letter that from \$600 to \$1000 would procure these valuable documents. The Committee believe that the present favorable opportunity of engaging the assistance of so able a man as our present minister in London, ought not to be permitted to escape. They have therefore instructed me to report the following resolution and to recommend its passage.

WILLIAM B. SHEPARD,

*Chairman.*

RESOLUTION AUTHORIZING THE GOVERNOR TO PROCURE COPIES  
OF PAPERS IN ENGLAND.

*Resolved*, That his excellency the governor be, and he is hereby authorized and empowered to procure from the public offices in London, such documents relating to the colonial and revolutionary history of North Carolina, as may be found worthy of preservation and being placed among the archives of the state; and that the Governor be, and he is hereby authorized to draw upon the treasurer of the state, from time to time, for such sums of money as may be necessary to discharge the duty hereby assigned him; provided the whole amount does not exceed one thousand dollars. [Ratified January 27, 1849.]

A beginning was now made. The Resolution of 1848-49, like that of 1845-46, was without immediate, tangible results, but it was helping, nevertheless, to draw the State nearer the goal which looked to the collection and printing of its documentary history, and the Hon. Charles Manly, who had succeeded William A. Graham in the gubernatorial chair in 1849, turned for suggestions and advice to the one man who had shown himself the leader in all of these movements, who knew more of the colonial history of the state than any other man then living and to whom the state owes a lasting debt of gratitude for his labors. This man was David L. Swain. Governor Manly induced him to undertake the work of collecting as outlined by the legislative Resolution, but Governor Swain thought it wise before attempting to secure copies of documents preserved oversea to make an effort for the better preservation of some of those already in the State, as the following correspondence will show:

*D. L. Swain to Governor Manly.*

CHAPEL HILL, Feb. 6th 1849.

SIR: I made an application through Judge Battle more than a year ago, for the records which are the subjects of the enclosed letter, soliciting them as an act of courtesy to the Historical Society and did not succeed. I indeed received no reply.

On consideration I entertain the opinion that these records belong to the State, and with your concurrence I prefer to place our application on that ground. If you agree with me in opinion it may render it more imposing to

enclose my note in a communication from the executive department, simply requesting the attention of them to it. If you feel any doubt about the propriety of it however please direct your secretary to put my letter in an envelope and direct and forward it as if it had never passed under your notice.<sup>1</sup>

*Governor Manly to Hon. A. Moore, Col. R. T. Paine, and  
R. R. Heath, Esquire.*

EXECUTIVE DEPARTMENT.

FEBRU 12th 1849

GENTLEMEN: Concurring in the views expressed by Hon. D. L. Swain in the accompanying letter I take the liberty of commending the subject to your favorable and earnest attention.<sup>2</sup>

*Governor Swain to R. R. Heath, Hon. Augustus Moore, and  
Colonel Robt. T. Paine.*

CHAPEL HILL. Feb 6th 1849

GENTLEMEN:—The Resolution of the last general assembly authorizing the adoption of the necessary measures to procure from the state and other offices in London, documents in relation to our colonial history, has no doubt attracted your attention.

Gov. Manly having intimated to me his desire that I should undertake the service contemplated by the Resolution, I have concluded to do so. Before turning my attention to the mother country, I consider it important to ascertain with as much accuracy as practicable what materials for the elucidation of our early history may be obtained here.

In the 1st Vol page 172, Martin's History of North Carolina you will find the following paragraph.

"The oldest records extant in the State of North Carolina are proceedings of a Palatine Court held by President Harvey who came out in 1679 or 1680. It appears to have been a Court of Probates. The accounts are kept in pounds of tobacco, a negro woman is valued at 4,500 pounds of that commodity, a milch cow at 400 pounds." In this statement Martin is mistaken. I have examined the records in the secretary's office, to which he refers—a record quite as valuable and much more accurate to the historian is the record of Berkley precinct Court preserved in the office of the county court clerk of Perquimans.

By turning to the 2nd Vol of Bancroft's United States page 135, 162, and examining the references you will perceive that extracts from the latter record constitute no inconsiderable portion of the foundation of his history of that period. I consider it by no means improbable that earlier and not less valuable records of the precinct courts of Chowan, Currituck and Pasquotank are in existence and may yet be traced to their places. I trust I do not presume too much on the friendship, and patriotism of either of you in venturing to solicit earnest and prompt cooperation in this attempt to rescue our early records from oblivion.

<sup>1</sup>Governor Manly's Letter Book, p. 41.

<sup>2</sup>Governor Manly's Letter Book, p. 46.



I may be pardoned for intimating that the historical name of one of you seems to impose a peculiar obligation in connection with this enquiry. Where were the earliest precinct courts in Chowan held? certainly not at Edenton, though the records are probably in your court house.

When I held your court in 1832 I gave more [some?] attention to enquiries of this nature, much less however than I would do if I could be with you again.

I copy the following entry from my memorandum book "In the superior court clerk's office I find the minute docket for that portion of Carolina north and east of Cape Fear first held on the 28th of October 1712 at the house of Capt John Hacklefield on Little River. It continued there until the 29th of March 1715, when it was opened at the house of Capt Richard Sanderson on the 31st July 1716 it was opened at Queen Anne's Creek at the C. H. and on the 27 day of March 1722 it was opened at Edenton. . . .

"The docket closes with July term 1724 is closely and well written containing 425 pages with index and margin notes. Declarations &c have some semblance of technical accuracy and seem to be recorded at length.

"On the July General Court trial docket 1742 there are 250 trial cases and 64 appearances.

"General Sessions Docket March 1736

Dom Rex	For assaulting	Defendant appeared and not being willing to contend with the crown, withdrew his plea and submitted, whereupon it is by the Court ordered, that he be fined one shilling, and of the prosecution discharged."
v	the	
Edward Mosely Esq.	Chief Justice	

These dockets like the one mentioned by Martin in the secretary's office are records of the superior court of the province, termed under the Proprietary Government the Palatine's Court and under the Royal Government the "General Court" and belong properly to the State and ought to have been deposited with the former with the secretary.

They have long since I suppose ceased to be of any other than historical interest and they can only be rendered available for historical purposes, by being added to the general collections which have been and are being made by the State and by the Historical Society of the University and a leading object of this communication is to invoke your aid in securing the adoption of the proper measures to have them transmitted to His Excellency, Gov. Manly, or to me.

The records of your precinct court if they can be found as I hope they can will probably be of higher historical interest than those of the general court. They (the records of the precinct court) are a part of your county records ought to be on file in the office of your county court clerk and though probably of none other than historical value cannot be properly transmitted either to the governor of the state or to the Historical Society of the University without an order of the county court.

This I suppose however under the circumstances you will find no difficulty in obtaining.

It is very important to the prosecution of my system of operations that I should have early and full information on these several heads of enquiry and I beg you to be assured that it will afford me real gratification to render any service in my power whenever an opportunity may be afforded to me.<sup>1</sup>

<sup>1</sup>Governor Manly's Letter Book, p. 41.

Governor Manly reported progress to the assembly of 1850-51 in the following terms:

A Resolution was passed at the last session authorizing the governor to procure from the public offices in London, such documents relating to the colonial and revolutionary history of North Carolina, as might be found worthy of preservation. To accomplish this in the most satisfactory manner, I tendered to the president of our university, Hon. D. L. Swain, the appointment and agency contemplated in the Resolution. He manifested an anxious desire to carry out the object proposed, if it could be done by any reasonable devotion of time and attention not incompatible with his paramount engagements. He deemed it necessary, however, before going abroad, to ascertain what portion of the documentary information desired, might be obtained at home. Considerable, and not unsuccessful, attention has been devoted to domestic research, and the materials thus obtained will be preserved for the use of our future historian. The agent informs me that he has acquired such knowledge of the sources which exist in our own country as will enable him to examine with proper intelligence the archives of the mother country; and that he will very cheerfully enter upon the duty at an early day, if such shall be the pleasure of the general assembly.

It is evident that the suggestion of Governor Swain caused an examination to be made of the documentary material then to be found in the public archives of the state, for the committee on the library, of which Calvin H. Wiley was chairman, reported to the same assembly the results of their search for source materials with the following result:

That in discharge of the duty imposed on them by said resolution, they have examined the colonial records, in the office of the secretary of state, and have found

1. The manuscript journal of a biennial session of the assembly of the province of North Carolina, begun and held in the year 1715. This manuscript contains few pages—not more than fifty.
2. Journals of the assembly of the province of North Carolina, from the year 1754 to 1762, containing in all, matter enough to make a large volume of 500 or 600 pages octavo.
3. Journals of the assembly of North Carolina, from the year 1762 to 1768, containing about 335 pages of manuscript.
4. Journals of the assembly of the province of North Carolina, from the year 1769 to 1771, containing in all, about 330 pages of manuscript.
5. Journals of the assembly of North Carolina, from the year 1773 to the year 1775, containing in all about 500 pages of manuscript.
6. Council Book, or records of the proceedings of the governor and council of North Carolina, from the year 1734 to 1740, containing matter enough to make a printed volume of 400 or 500 pages octavo.
7. Council Book, from 1764 till the revolution.
8. Journals of the provincial congresses of North Carolina, from the year 1774 till the formation of the state constitution in 1776.

The following Resolution was then passed:

RESOLUTIONS PROVIDING FOR THE PUBLICATION OF COLONIAL  
RECORDS, AND FOR OTHER PURPOSES.

Sec. 1. Resolved, That the governor, the secretary of state, treasurer and comptroller be instructed to contract for the printing of 150 copies of the following records now in the office of the secretary of state, viz.: (1) Journals of the assembly of the province of North Carolina held in the year 1715; (2) Journals of the assembly of North Carolina from the 1754 to 1763; (3) do. of ditto from the year 1763 to 1768; (4) do. of ditto from the year 1769 to 1771; (5) do. of ditto from the year 1773 to 1775; (6) Council book or records of the proceedings of the governor and council of North Carolina from the year 1734 to 1740; (7) do. of ditto from 1764 till the revolution; (8) Journals of the Provincial Congress of North Carolina from 1776 to 1789; and that they have them bound and deposited in the office of the secretary of state, subject to the future order of the assembly.

Sec. 2. Resolved, That William Hill, the secretary of state, be, and he is hereby instructed to certify to the correctness of each printed copy to the original in his office; and that for the cost of printing and binding the said books, the sum of one thousand [dollars] is hereby allowed from any monies in the treasury not otherwise appropriated. [Ratified Jan. 20, 1851.]

The assembly of 1850-51 passed various other resolutions of similar import:

One provided for printing "A full and complete Index" to accompany the documents printed by the assembly. [Ratified Jan. 29, 1851.]

Another, "in order to preserve the maps, charts, documents and other material relating to surveys which have been or may hereafter be made with reference to any work of public improvement in this State," set aside a room in the Capitol to be known as a "permanent Bureau of Engineering" for their deposit and safe keeping, placed its collection under the care of the state librarian, or state engineer, should one be appointed, and required all companies incorporated after that date for internal improvements to furnish maps of their proposed work drawn to the uniform scale of 400 feet to one inch. [Ratified Jan. 1, 1851.]

A resolution of Jan. 28, 1851, provided for the publication in an edition of 100 copies of "the muster rolls of the soldiers of the war of 1812" then on file in the adjutant general's office. This was issued the same year.

The public documents also contain a complimentary reference to Colonel Wheeler's Sketches of North Carolina then in course of compilation; a resolution gives him authority to borrow books from the state library and make extracts from the offices of the executive departments, and a resolution of 1852-53 purchased 50 copies of his then pub-



lished work for the use of the state. [Ratified Dec. 27, 1852.] But beyond this purchase the assembly of 1852-53 seems to have done nothing in a historical way.

B. GOVERNOR SWAIN'S HISTORICAL AGENCY, 1854-1858.

In his message to the assembly of 1854-55 Governor Reid contented himself with making a modest suggestion that there be erected in Capitol Square, Raleigh, "two small but neat and appropriate monuments,"—a phrase which was deftly turned soon after by Josiah Turner, Jr., to illustrate the tendency of state politics at that time,—“one to the memory of the officers and soldiers of the revolution, and the other to the memory of the signers of the Mecklenburg Declaration of Independence.” It does not appear that the recommendation in this form ever received consideration, and a bill to appropriate \$10,000, “for the purpose of erecting a monument in the county of Mecklenburg, as a tribute of respect to the memory of the signers of the Mecklenburg Declaration of Independence,” was lost in the house.

But in the senate Mr. John F. Hoke, of Lincoln, introduced and pressed to ratification a resolution of significance:

That the agent, to be appointed by the governor, authorized by resolution of the general assembly, passed in the session of 1848 and 49, to procure documentary evidence of the history of North Carolina, shall, in case he deems it necessary to visit London for that purpose, be entitled to receive his traveling expenses, and all other necessary expenses for clerk hire, &c., to be ascertained and allowed by the next general assembly.

That the Governor be authorized to procure a copy of “Tryon's North Carolina Papers,” now on file in Harvard College, and that the expenses for copying the same be paid out of any moneys in the treasury department, not otherwise appropriated: Provided, The whole expense shall not exceed one hundred and fifty dollars. [Ratified Jan. 9, 1855.]

In view of this resolution Gov. Thomas Bragg, who had succeeded Governor Reid in office, opened correspondence with Governor Swain who had assisted Governor Manly in the same work in 1849 and the following exchange of letters ensued:

*Governor Bragg to D. L. Swain.*

STATE OF NORTH CAROLINA, EXECUTIVE OFFICE

RALEIGH, May 14th 55.

SIR

I send herewith an authenticated copy of a Resolution passed by the general assembly of North Carolina at its session of 1848-9 and also of one passed by the same body at its session of 1854-55.

By virtue of the former the governor of the State is authorized to procure in England such documents relating to the colonial and revolutionary history of the State as may be found worthy of preservation and by the latter to procure a copy of Tryon's North Carolina papers now on file in Harvard College. The interest which you take in whatever concerns the history of the State as well as your great information on the subject, prompted me to ask your aid in carrying into effect the wishes of the legislature as expressed in both of the resolutions. In the personal interview which I had the honor to have with you on the subject you kindly consented to accept of the agency and I now comply with my promise to send you authenticated copies of the Resolution.

I have only to add that I hope your labours may be as pleasant as I doubt not their result will be useful and interesting to a large portion of the people of the state.<sup>1</sup>

*D. L. Swain to Governor Bragg.*

SIR

CHAPEL HILL, Nov 20th 1855.

I had the honor to receive on the 15th May last your letter of the previous day communicating authenticated copies of the Resolutions of the general assembly of 1848-49 and 1854-5 authorizing the governor to obtain from the proper offices in London documentary evidence in relation to the colonial and revolutionary history of North Carolina and from the library of Harvard College a copy of Governor Tryon's letter book. The latter resolutions provide that the agent to be appointed by the governor may if he should deem it necessary visit London in the prosecution of his searches and that the necessary expenses, of his mission shall on his return be paid from the public treasury.

I had previously in a personal interview to which your excellency kindly invited me consented to render any services in my power to enable you to effect the wise and patriotic designs of the general assembly. I was at the time I recd your letter on my way to Connecticut and intended to extend my journey to Cambridge for the purpose of obtaining with as little delay as practicable a loan of Governor Tryon's Letter Book so that it might be copied under my direction at home or if I did not succeed in this to ask permission to have a copy made for me under the direction of the librarian. On my arrival at Hartford however I recd information which induced me to decline the contemplated visit to Cambridge and enter into a correspondence with President Walker upon the subject. My letter received every and favorable attention, and my friend Jared Sparks L.L.D. the immediate predecessor of President Walker was authorized to intimate to us the conditions on which a copy might be obtained.

Mr. Sparks informed me that under the regulations of the University original manuscripts were never allowed to be withdrawn from the library, but that in this instance if authorized to do so he would have a copy made for me under his immediate supervision by an experienced copyist, a specimen of whose handwriting he enclosed me: that the manuscript consisted of 523 pages, averaging about 300 words each and that the charge for copying would be six cents for copy sheet of 100 words.

The volume contains, 1st, Governor Tryon's letters (apparently official) from October, 1764, to December, 1771; 2nd, The minutes of the council from

<sup>1</sup>Governor Bragg's Letter Book, p. 153.

April, 1765, to June, 1771. It was sold to the college by Mr. Stevens of London who found it there in the hands of a book seller. It was then in two separate volumes. One containing letters, the other the minutes of the council. He had them bound together in one. The two had all the appearance of having been the original record books kept by Governor Tryon while he was in office. A letter from Mr. Sparks dated on the 4th instant informs me that the copyist had finished his work, and that the volume was then in the hands of the binder, Mr. Harris' account which you will receive herewith amounts to one hundred and eight dollars viz \$100 for copying \$5 for paper and \$3 for binding. I have no doubt that the copyist has performed his task with more than ordinary neatness and accuracy, and is well entitled to the stipulated compensation. I have requested the cashier of the Bank of the State to remit the amount due to him and will draw upon you for so much of the appropriation as may be necessary to meet my expenditures when the book is received.

Mr. Sparks to whom I am indebted for numerous acts of kindness will take the work into his possession and retain it for me until I can secure a safe opportunity for its transmission.

Whilst I have taken the necessary pains to accomplish the purposes of the general assembly, in obtaining for the state this very important addition to the records of the executive department, and to the information previously in relation to a most interesting period of our history, I have not been unmindful of the more arduous task contemplated by those resolutions, the duty of endeavoring to ascertain as nearly as I may be able, the nature and extent of the materials which can be obtained to illustrate our annals throughout the two centuries which have elapsed since the earliest settlement was formed within our borders.

I have made numerous enquiries of intelligent gentlemen in this and other states of the Union, who, I supposed would be able either to supply information or to indicate sources from which I might reasonably hope to obtain it, and these enquiries I am happy to state have met with encouraging success.

I am taking the requisite pains to render myself familiar with the materials for history at my command, so as to be able in due time to form a satisfactory opinion, whether it will be indispensable to the accomplishment of the liberal purposes of the legislature that an agent shall visit the mother country and search the ample and well arranged repositories there, public and private, for records, books and manuscripts, not to be obtained on this side of the Atlantic. So soon as my collections shall be as full and complete as I can reasonably hope to make them from domestic sources, and I shall have had an opportunity to arrange and examine them, I will be prepared to communicate my views upon all the subjects embraced in the Resolutions.<sup>1</sup>

To the assembly of 1856-57 Governor Swain presented a detailed report of his activities as State Historical Agent. This Report, together with the pertinent correspondence, is printed in full as Document 28, session of 1856-57. The story of this work cannot be told better than in Governor Swain's own words and the document is here reproduced, somewhat abridged and with minor corrections.

<sup>1</sup>Governor Bragg's Letter Book, p. 337.



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REPORT OF HON. DAVID L. SWAIN, LL.D., ON THE HISTORICAL AGENCY FOR PROCURING DOCUMENTARY EVIDENCE OF THE HISTORY OF NORTH CAROLINA.

The joint select committee, to whom was referred the message of the Governor, with the accompanying papers from the Historical Agent of the State, have had the same under consideration, and respectfully report :

That the message of the Governor presents to the General Assembly the report of the historical agent of the State, and recommends a continuance of the agency.

That the report of the agent consists of a series of letters either written by or addressed to the agent, in the discharge of the duties of his office, reporting the progress made in the collection of material, and assigns satisfactory reasons for the delay on the part of the agent in the prosecution of the extended search for documentary history contemplated by the Legislature. And, to the end that the fullest information may be given, that a memorial be made of the patriotic efforts on the part of the State authorities to garner up all that is valuable in the past history of the State, the committee do recommend the printing of the report entire, not exceeding 300 copies, to be distributed by order of the General Assembly.

And, furthermore, to carry out the praiseworthy purposes of the Legislature, that created the agency, and that the scattered and broken links of our colonial history may be collected and placed in the hands of the future historian, and "our story be told with truth," the committee do recommend the adoption of the accompanying resolution, providing for the continuance of the agency :

*Resolved*, That the agent appointed under the resolution of the last General Assembly, to procure documentary evidence in relation to the History of North-Carolina, may, in case he shall deem it necessary to do so, examine the public archives, and other sources of information of our sister States, as well as the mother country, upon the conditions set forth in the said resolution, and report proceedings to the General Assembly at as early a period as may admit of the proper performance of the duties assigned to him.

PAUL C. CAMERON, *Chairman*.

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*To the honorable the General Assembly  
of the State of North Carolina:*

I transmit herewith a report from the Hon. David L. Swain, agent to procure documentary evidence of the history of the State.

The report will explain to you very fully what has been done, what it was the object of the agent to accomplish, and the circumstances which prevented his collecting any historical materials from abroad.

The copy of "Tryon's Letter Book" has been deposited in the Executive office, where it may be seen, and is subject to your disposition.

By the terms of the resolution of the General Assembly, by virtue of which an agent was appointed, such agency ceases at this session of your honorable body.

I respectfully recommended the passage of a resolution, authorizing the continuance of the agency, with authority to the agent to examine the public archives, and other sources of information of our sister States, as well as those of the mother country.

THOMAS BRAGG.

## REPORT.

CHAPEL HILL, Decem. 1, 1856.

SIR:—In my letter of the 20th November, 1855, I advised your excellency of the course I had pursued, and the progress I had made under the resolutions of the last General Assembly, authorizing you to appoint an agent to obtain from the proper offices in London documentary evidence in relation to the history of the State, and from Harvard University a copy of Governor Tryon's Letter Book.

I had the pleasure, a few weeks thereafter, to receive a copy of the Letter Book, prepared with extraordinary neatness and accuracy, under the supervision of Jared Sparks, LL.D., by the late James W. Harris, Esq., of Cambridge. Mr. Harris's receipt for the stipulated compensation for services so faithfully rendered, amounting to \$108, is enclosed. This sum, with the addition of one per cent. premium on the check remitted, may be deposited to my credit in the Bank of the State. The Letter Book is also sent herewith.

Since the receipt of your letter of the 15th May, 1855, requesting my attention to this subject, no opportunity has been neglected to obtain all the information in my power in relation to documentary evidence of our history at home or abroad. I have taken great pains to ascertain the sources whence materials may be drawn, and the extent to which they exist in this and other States, in order to satisfy myself whether it is necessary to extend researches to the mother country, and to prepare myself in this event for the intelligent performance of the trust committed to me.

I suppose there are few important papers in North Carolina which reflect light upon the colonial era, which are not in my possession, or at my command.

To the kind attention of Tristram L. Skinner, Esq., of Edenton, I am indebted for permission, obtained by him from the county court of Chowan, to transmit to me four folios, containing all the records of the general court and court of chancery of North Carolina, from 1697 to 1730, and to James E. Norfleet, Esq., of Edenton, for two volumes custom house records of port Roanoke, from 1725 to 1743. The judicial records are not merely of great but indispensable importance to the historian. I have given a receipt for them to the clerk of Chowan court, and have stipulated to return them in reasonable time. I trust, however, that you will be able, through the intervention of the General Assembly to secure permanent possession of them for the State.

The liberality of Thomas P. Devereux, Esq., has enriched the archives of the historical society of the University with a neat and accurate copy of all the portions of the Letter Book of his ancestors, Cullen and Thomas Pollock, which possess historical value.

Thomas Pollock was, as you are aware, deputy to one of the Lords Proprietors of Carolina, during a period of thirty years, and was at one time at the head of the government, as president of the Council. In the latter character he assumed the reins of government, on the demise of Governor Hyde in 1712, and discharged the duties of the executive department with eminent prudence and discretion, in the midst of some of the most dangerous emergencies in our history. He was a member of the council, and sustained the legitimate authority of Governor Glover during the entire period of Cary's rebellion, and his correspondence exhibits no inconsiderable portion of all the information accessible at present in relation to a civil commotion, which, in its consequences, threatened, and too nearly produced, the extinction of the colony.

Virginia and South Carolina have laid the best possible foundation for the construction of their history in the publication of their statutes at large, with illustrative documents, notes, and references. Both of these collections, but especially the former, the earlier and better work, are deeply interesting in connection with our history, and serve to show the importance of similar attention on our part to forgotten and neglected records.

The trustees of the State library, (the governor and judges of the Supreme court) have recently made a judicious beginning, which it is to be hoped will, in due time result in the accomplishment of a like enterprise, on the part of North-Carolina.

In 1715, the General Assembly revised and re-enacted the whole body of statute law then in force. There was no printing office in the Province, and twelve manuscript copies were prepared, and one deposited in the clerk's office of each precinct court.

The existence of this revisal was unknown during a long series of years, until about a quarter of a century ago, when two mutilated and moth-eaten copies were discovered in the office of the secretary of State. Two or three years since, a third imperfect copy was presented to the Rev. Dr. Hawks, by William B. Rodman, Esq., of Washington. A successful effort is in progress, to secure, by a collation of the three defective manuscripts, a perfect copy of our earliest revisal; and the work admirably executed by the Rev. Dr. Wheat, of the university, will soon be ready for the State library.

It is, perhaps, unnecessary to enter into further details with respect to domestic sources of historical information. I venture to intimate, nevertheless, the confident opinion, that very interesting materials will reward proper research in the public offices of Virginia, and the archives of the historical societies of South-Carolina and Georgia.

In relation to documentary evidence abroad, I deem it merely necessary to direct your attention to the accompanying correspondence, which may be examined in the numerical order in which it is presented, and which will sufficiently explain itself.

You will perceive that owing to diplomatic difficulties between this country and England, and occurrences which for a time prevented cordial intercourse between Mr. Crampton and the American secretary of State, I was subjected to unavoidable embarrassment and delay in the prosecution of my designs. In relation to this matter, I am under great obligations to my friend Mr. Dobbin, the secretary of the Navy, who, though oppressed by official duties, rendered more arduous and onerous by delicate health, cooperated most cordially and effectually, in my attempts to accomplish the purposes of the General Assembly.

My agency, as you are aware, expires by the limitation imposed by the resolution under which I have been acting, with the present General Assembly. If further services of a similar character shall be desired—and of the necessity for further research, my former and present communication will afford the means of arriving at a satisfactory conclusion—the General Assembly will of course allow further time, and authorize proper research in the archives of our sister States, as well as the mother country.



*I.—Hon. James C. Dobbin to D. L. Swain.*

WASHINGTON, December 4th, 1855.

\* \* \* I intend to avail myself of the first opportunity, and endeavor to help you in the laudable enterprise in which you are engaged.

*Just at this particular time* it may not be decorous to open the subject to Mr. Crampton. We are personally on very good terms indeed, and I know he is quite accommodating. \* \* \*

*II.—Same to Same.*

WASHINGTON, February 26, 1856.

*My Dear Sir:* You are right in your conjectures, that at present our relations with Mr. Crampton forbid my asking any favor of him. It is to be regretted—but his conduct was inconsiderate and improper. I enclose you a letter of introduction to Mr. Dallas. Whenever you address him, enclose it, and I have no doubt he will cheerfully do what he can. \* \* \*

*III.—D. L. Swain to Hon. George M. Dallas.*

CHAPEL HILL, 1st March, 1856.

*Sir:* The enclosed note from the Hon. James C. Dobbin, explains the reasons which render it proper and necessary for me to address you upon the present occasion. The accompanying volume, entitled "Indexes to Documents relative to North-Carolina during the colonial existence of the State," will serve the purpose of explaining more fully and clearly, the objects I have in view, and the nature of the duties which at the instance of Governor Bragg, acting under the authority of resolutions of our last General Assembly, I have undertaken to perform.

The volume referred to, a manuscript copy of which, was deposited by Mr. Gallatin in the office of the American Legation, in London, in 1827, shows that in the office of the Board of Trade and in the State-Paper Office, many documents and records of great value, in connection with the history of North-Carolina, are on file, and that permission for such agent as the State might designate for the purpose, was most courteously given, to take copies of all or any portion, that might be desired. I wish to obtain through you a renewal of the courtesy and liberality. \* \* \*

From the beginning of the royal government, in 1729, until the opening scenes of the revolution, in 1774, these indexes show that ample materials for the elucidation of our history are to be found in the public offices in London. The obscure periods about which comparative little is known, are from 1663 to 1729, embracing the existence of the proprietary government—and the early years of the revolutionary war.

Mr. Gallatin supposed, apparently with good reason, that much information in relation to the former period might be obtained by the examination of unarranged files in the office of the board of trade, of records entitled "Proprieties and Carolina." See his letter to Governor Burton and the accompanying communications from the secretary of the Board of Trade, and Lord Dudley, principal secretary of State for foreign affairs, pages 3, 4, 5, 6 of the pamphlet referred to.

I venture to anticipate satisfactory results from such an examination, but to guard against disappointment, desire to make proper arrangements for the further prosecution of my researches, if it shall be found necessary.

Chalmers, in the composition of his political annals, seems to have had many papers at his command, in relation to our early history, to which no subsequent writers have had access. Williamson (*Hist. N. C.*, vol. 1, p. 9, pref.) states that he applied to Chalmers for permission to take copies from his collections, which was discourteously refused.

Grahame (*Col. Hist. U. S.*, vol. 1, p. xii) seems to have been favored with ready admission to the library of the "distinguished American annalist." He adds little, however, to our previous stock of information about the proprietary government. I suppose, therefore, that the papers must have passed from the hands of the secretary before the sojourn of Grahame in London, and may be found among the unarranged records referred to by Mr. Gallatin, or that they were restored to the Lords Proprietors, who held the office of palatine, at the successive periods to which they relate. If the latter supposition shall prove to be well founded I presume that the heads of these noble houses will receive with favor an application through the American legation for copies of such papers as may serve to illustrate their own history, as well as the annals of Carolina. Mr. Bancroft promised me, some time since, to enter into a correspondence with Lord Shaftsbury, upon this subject, but I have not yet been advised of the receipt of any communication from the latter.

In relation to our revolutionary history, I have recently been so fortunate as to obtain a perfect copy of the letter book of Governor Tryon, and the journals of the council, during the entire period of his administration, from October, 1764 to June, 1771, containing very full as well as authentic details in relation to the commotion produced by the passage of the stamp act and the war with the regulators. The original was purchased for Harvard College, in 1845, by Mr. Stevens, of a bookseller in London. The recovery of this important record suggests the enquiry whether the letter book of Tryon's successor, Josiah Martin, the last of our royal Governors, may not be obtained from some source, and thus supply in connection with the Tryon papers, a continuous official narrative of the leading events in the revolutionary history of North-Carolina.

There was probably no single loyalist, who throughout the American revolution, rendered such efficient services, to the mother country, as John Hamilton. At the beginning of the war, he was the leading merchant in the province. He commanded a regiment under Lord Cornwallis during the invasions of 1780 and 1781, and was a gentleman of ability, intelligence and integrity. For many years subsequent to the revolution, he was his Britanic Majesty's Consul at Norfolk.

Major Craig, who in 1812, was Sir James Henry Craig, Governor General of Canada, took possession of Wilmington, early in 1781, preparatory to the second invasion of Lord Cornwallis. He maintained his position until the surrender of Yorktown rendered his retreat necessary, in the autumn of the following year. Governor Burke and suite were his prisoners in September, 1781, and the Governor was, under his orders, confined for some months, as a prisoner of State. The papers of these two gentlemen, if they can be obtained, will probably be found, to be not less interesting and important, than those of Governors Tryon and Martin.

I do not wish to go abroad, until I shall have satisfied myself with respect to the nature and extent of the collections, that can be made in our own country. My present plan is to visit London, not earlier than May, 1857. May I venture to ask, in behalf of the State of North-Carolina, that such pre-

vious enquiries and arrangements may be made, as may comport with your convenience, and enable me to accomplish, as nearly as may be practicable, the wise and liberal purposes contemplated by our General Assembly.

IV.—*Hon. G. M. Dallas to Hon. J. C. Dobbin.*

LONDON, Aug. 18, 1856.

*My Dear Sir:* Your letter of the 4th instant, accompanied by another addressed to yourself by Ex-Governor Swain, with a bound pamphlet of "Indexes to Colonial Documents, N. C." reached me yesterday. I will give the purposes of Governor Swain every aid in my power, especially as soon as I feel somewhat relieved of the central American negotiation, which is tapering to the signing point. There may be difficulties in ascertaining the *locus in quo* of the displaced records, for the best employe here is reluctant and unreliable in making a *private* search, without assurance of compensation for trouble, and of copying, if successful. You shall hear from me again, however, at an early day.

V.—*Same to Same.*

LONDON, August 22, 1856.

*My Dear Sir:* Since writing the enclosed. I have had the pleasure to meet Mr. Somerby, an American gentleman well known to Gen. Cushing, who was kind enough, at my request, to examine the State Paper Office, and other receptacles of records, and whose familiarity with the operation enables him to say at once—

1. That there are many papers readily accessible connected with the colonial history of North Carolina, not adverted to in the volume of Indexes sent by Governor Swain, some at dates as early as 1661, and multitudes subsequent to 1775.

2. That South Carolina has already obtained abstracts of such papers, as, under the general label of "Carolina papers," were of dates anterior to the separation, and of these it is presumable Gov. Swain could easily obtain copies from Charleston.

3. That abstracts of all the papers connected with North Carolina, whether in the State Paper Office, the British Museum, or else where, can certainly be had; but the trouble and expense would be great, and unless Gov. Swain prefers coming himself, to superintend the proceeding here. Mr. Somerby thinks he could secure all sufficient abstracts by directing and guiding a copyist, if the sum of £100 were, in advance, placed under the control of some one here, to be applied exclusively to that object.

Mr. Somerby is already engaged in pursuing a similar search and examination for the State of Maine. He tells me that a bill was introduced into Congress, authorizing an appropriation of 20,000 dollars, to enable the government to get all the colonial documents from the office here, and that Mr. Mason, Mr. Clayton and Mr. Pearce were its friends, but he does not know its fate.

VI.—*D. L. Swain to Hon. J. C. Dobbin.*

CHAPEL HILL, Sept. 10, 1856.

*My Dear Sir:* I am greatly obliged, by the receipt of your note of the 6th, and the accompanying communications from Mr. Dallas of the 15th and 22d ult. I have availed myself of your permission to take copies of the latter, and in compliance with your request, I now return the originals.



The principal object I desired to attain, through the intervention of Mr. Dallas, was a renewal of the courtesy exhibited to the State in the correspondence between Mr. Gallatin, Mr. Lack[e] and Lord Dudley, in 1827, in the permission to take copies of documents in the public offices in London, and more especially to ascertain whether a like permission can be obtained from Lord Clarendon, and the other representatives of the original Lords Proprietors of Carolina. Upon these subjects I hope to hear from him, when relieved from the diplomatic difficulties and labors, which require immediate and constant attention. \* \* \*

VII.—*Jared Sparks, LL.D. to D. L. Swain.*

CAMBRIDGE, February 1, 1856.

*My Dear Sir:* In regard to the first inquiry in your letter of December 19, I regret that I cannot give you any information concerning the loyalists, Fanning, Hamilton and Craig. Nor do I know where you will be likely to find the papers of Governor Martin. If they have been preserved, they are doubtless in the hands of some branch of his family in England, and may perhaps be brought to light by pursuing the inquiry in that country.

As to Chalmers, he undoubtedly procured nearly the whole of his materials from the archives of the Board of Trade. He was, for a long time, the secretary of that Board. His papers, after having been bound in volumes, were sold by his nephew, a few years ago, at auction in London. I purchased six volumes of them relating mostly to New England. They are not important, being memoranda, references, and extracts used in writing his annals. In his chapter on Carolina, I observe he refers to volumes of "Carolina Entries," and also to "Carolina Papers." These are all probably now in the office of the Board of Trade, unless they have been removed to the State-Paper Office since Chalmers' time.

I remember seeing volumes entitled "Proprieties." In these, will be found papers relating to Carolina, under the proprietary government, as mentioned by Mr. Gallatin. I forbear to enlarge on this subject, because I deem it absolutely essential that you, or some other agent from this country, should make a personal research in the public offices in London. I have passed several weeks, at two separate times, in those offices, and I am sure that no instructions to any person there, however precise, will secure a thorough and complete examination. Such an agent should be already somewhat familiar with the details of the history of North-Carolina.

There are two distinct offices containing American colonial papers: first, that of the Board of Trade, and secondly the State-Paper Office. The index furnished by Mr. Gallatin, appears to include such papers only as are in the former; but there are many important papers of a more political character in the State-Paper Office, particularly from the date of the stamp act downwards. In short, a careful and thorough research should be made in both these offices.

The mode of application must be through the American minister in London, and, with his aid, there will be no difficulty in procuring access to any of our colonial papers, and permission to have them transcribed.

I hope you will find it consistent with your other occupations to fulfill this important agency yourself. I am persuaded you will not regret having performed a service, which, while it cannot fail to gratify your own tastes, will be so beneficial to the public.

I have not yet heard from Halifax, and I begin to fear we may be disappointed in our expectations from that quarter. It is possible that the descendants of the loyalists may feel a little delicacy on this point and not be inclined to promote any new developments in the history of the unsuccessful efforts of their ancestors, although acting in defence of what they deemed at the time a loyal and just cause.

You have probably received before this time the volume of Tryon's Letter Book, by the hands of Professor Hedrick. Please present my kind regards to him, and accept the assurance of the high respect and esteem.

VIII.—Col. Peter Force to Hon. J. C. Dobbin.

WASHINGTON, August 22d, 1856.

*Dear Sir:* I have read with care and with interest the letter you have from Gov. Swain. His views cover the whole ground, and it will be a proud day for North-Carolina when his suggestions are carried into full effect. Every public paper in England that relates to the State should be obtained, for until that is done the materials for its history will not be complete, and this can only be done by the employment of an intelligent and faithful agent.

The only suggestion I have to make is in regard to the agent. He should not only be intelligent and faithful, but he should be familiar with the duties that would be required of him, and have a general knowledge of all the depositories of American papers in all the public offices in London, and as far as may be elsewhere. I know of but one person who has the ability and perseverance, united with the necessary acquaintance with the public offices and officers, to enable him to perform the task satisfactorily. The person I allude to is Mr. Henry Stevens, an American, who during several years residence in London, has become well known to the gentlemen in the various departments there, and who has furnished numerous transcripts of public documents and papers to public institutions and private persons in this country. If Gov. Swain could engage his services, I feel assured that what he purposes to have done for the State would be well done.

IX.—Rev. Dr. Hawks to D. L. Swain.

NEW YORK, Oct. 25, 1856.

*My Dear Sir:* On my return home, after an absence of three weeks I found your letter awaiting my arrival. This must be my apology, for not replying sooner. I rejoice greatly that our State has moved in the business of securing, while yet she may, such portions of our documentary history, as yet remain in England in the form of MSS.

I satisfied myself when in London, that there was much in the Colonial Office Papers of ante-revolutionary times, that we ought to have to make our story complete. But there is also, I am persuaded, much that is valuable in the hands of the descendants of the Lords Proprietors. On a proper application, I presume it might be obtained.

I am certain, however, that no agent but one already familiar with our history as far as it is known, can do us much good; and therefore, I rejoice that the work is committed to your hands. I am deeply interested in your prosecution of it to a successful termination.

In my own humble labors, I feel the need of documentary evidence yet in England: not in my first volume, for that you know embraces the early

attempt at colonization, under the auspices of Sir Walter Raleigh only, and I think I have about all that remains to us on that subject. But in my second and subsequent volumes, I have relied very much on this movement of the State, to furnish materials for speaking confidently and truthfully. I can, indeed, tell the story, from such sources of information as we have; but, as an honest man, I should be obliged frankly to say, though I have sought for *truth*, I am not sure I have always found it. I pray you, therefore, do not relax your efforts to get the matter that is in England.

I thank you very much for repeating your kind offer of aid in my work. The truth is, I did not mean to put any MS. but that of the first vol. to press, without our minute joint examination. As to the first, I knew just what material there was for it, and that neither you nor I could add to it; and besides, I was anxious, if possible, to lay the beginning of my work before the next Legislature, and say—you see what I am trying to do for our State—pray help me, by affording me unrestricted access to all our archives.

I hope to see you this winter, and to travel with you over a great deal of historic ground, now overgrown with thickets; but I trust we shall be able to cut our way through, and let in the sun-light.

I hope you will not deem it presumptuous in me to say, that I think you and I together can make a *true* history of North-Carolina. So far as my opinion is of any value, you are free to say, that I consider the thorough examination of the papers in England, by some one who, like yourself, knows all that we now possess of our early history, to be of the very first importance to a truthful narrative of the past; that we ought to possess copies of these papers; and that I earnestly hope our countrymen will facilitate, in every way they can, your efforts to obtain them.

Students of the State's history might well feel encouraged from the show of work already accomplished by the Historical Agency. This was evidently the case with the assembly, for at the same session it passed a resolution outlining still further the work yet to be done.

The Resolution is as follows:

*Resolved*, That the agent appointed under the resolution of the last general assembly, to procure documentary evidence in relation to the history of North Carolina, may, in case he shall deem it necessary to do so, examine the public archives, and other sources of information of our sister states, as well as the mother country, upon the conditions set forth in the said resolution, and report proceedings to the general assembly at as early a period as may admit of the proper performance of the duties assigned him. [Ratified Jan. 8, 1857.]

Governor Swain's comments on this resolution indicate very plainly the source whence came the inspiration for the resolution itself.

*D. L. Swain to Governor Bragg.*

SIR

CHAPEL HILL, 1st Jany 1857.

The legislature in accordance with the recommendation contained in your message upon the subject have "Resolved that the agent appointed under the authority of the last general assembly to procure documentary information



in relation to the history of North Carolina may in case he shall deem it necessary to do so examine the public archives and other sources of information of our sister states, as well as the mother country, upon the condition set forth in the said Resolution and report proceedings to the general assembly, at as early a period as may admit of the proper performance of the duties assigned to him."

I availed myself of the opportunity afforded by a visit to Raleigh some days since to enter into a full conference with the committee who reported the resolution, in the course of which I endeavored to ascertain their views, and to present my own, with respect to the best mode of affecting the purposes contemplated by the resolution. I will endeavor to present a brief outline of the plan of operations, which seemed to find favor with the committee, and will be greatly obliged to your excellency for any suggestions you may be pleased to offer in relation to it.

The first settlers in Albemarle came from Virginia. The names of these immigrants and their precise point of settlement, if to be ascertained at all, will more probably be discovered among the records of titles to land and similar documents in the public offices in Virginia, than in England. The second colony planted upon the Cape Fear, removed within a few years from the date of settlement to South Carolina, and information in relation to it, may be sought with greater prospect of success [there] than elsewhere.

The battles of the revolution in the South were in various instances fought by troops from Virginia, North and South Carolina and Georgia intermingled. The correspondence preserved in the public archives of all these states must of course be collected and compared, in order to ascertain with certainty all that is desirable to know with respect to [the] most interesting event in the history of each state.

I intend to open a correspondence at an early day with the historical societies of the states with which our history is most intimately connected and blended, and request that they will ascertain by early and particular examination the extent to which they can contribute materials for the construction of our history. In the meantime I will institute a pains taking search among our archives, for such records and information as I may suppose to be of corresponding value to the states concerned. After the requisite researches and arrangements are completed, I will go to Richmond, Charleston and Savannah, in the further prosecution of my purposes, and ascertain with greater accuracy, by personal conference, the extent to which their historical societies can contribute to our and we to their stock of historical information. Much may probably be obtained at home which is not to be found abroad, and much to be acquired by research in England would be sought for in vain in this country.

The execution of the foregoing scheme and further researches in this State, will probably occupy all the time it will be in my power to devote to the accomplishment of the purposes of the general assembly, during the present year. At the close of this period I will be much better prepared than at present to determine the precise point to which my enquiries abroad should be directed, and whether it will be indispensably necessary, that I shall make them in person, or rely upon agents for the performance of the duty.

Whatever course I may deem it proper to pursue in order to obtain documentary information from England I will enter upon the discharge of all the

duties confided to me with a determination to secure every manuscript at home or abroad essential to the development of our history, which can be obtained without unreasonable expenditure.

Among the earliest and most important duties to be performed in this state will be the arrangement of the records connected with the several departments of the state government, and especially those in the office of the executive and the secretary of state.

Permit me to suggest the propriety of your directing the several heads of department[s] and your private secretary to facilitate the accomplishment of the purposes designed in the creation of a Historical Agency by collecting and arranging the records in c[h]ronological order, and preparing such descriptive catalogues and indexes as will render them accessible, and susceptible of ready examination.<sup>1</sup> The performance of this labor will result in the arrangement of these offices in the manner best calculated to promote the convenience of the incumbent, as well as that of the public.<sup>2</sup>

In accord with these general outlines and plans Gov. Swain prepared and sent out in February, 1857, a circular letter in which he strove to awaken the historical feeling in the leading men of the State. This circular is as follows (from copy in the Mangum Correspondence):

DEAR SIR:

CHAPEL HILL, Feb 10, 1857.

The General Assembly have resolved that the agent appointed to procure documentary evidence in relation to the history of North-Carolina, may, in case he shall deem it necessary to do so, examine the public archives and other sources of information of our sister states, as well as the mother country, in the accomplishment of the object designed in the creation of a Historical Agency.

There is, no doubt, much interesting material for the construction of our history, in the public and private depositories of records in England, which cannot be obtained in this country; many interesting papers in the archives of our sister states, not to be found elsewhere, and perhaps not less important information, if it can be gleaned, collected and arranged, within our own borders.

It is my purpose to secure the possession, as nearly as may be practicable, of every species of documentary evidence essential to the true and full development of our history, which has been preserved in our own, in our sister states, and in the mother country.

To the accomplishment of this design, so far as relates to the necessary researches in North-Carolina, the earnest co-operation of one or more enlightened and patriotic citizens in every county is indispensable. May I not invoke your aid, with the assurance that it will be promptly and zealously rendered.

I desire to obtain all the information within your reach which may serve to illustrate the history of the State, or your own county, viz:—Accounts of

<sup>1</sup>Under a Resolution of Feb. 2, 1857, Quentin Busbee collected and arranged "in the archives of the senate, all the records and papers belonging thereto" for which he received \$217.70. He seems to have collected the printed laws and legislative documents and his work may possibly have been done in accord with the above suggestion of Governor Swain.

<sup>2</sup>Governor Bragg's Letter Book, p. 700.

the various Indian tribes, which have, at any time, inhabited our territory, their wars among themselves, and their contests with the white people;—records of associations and accounts of other proceedings to resist the execution of the Stamp Act;—records of town, county and district associations organized under the Articles of American Association, adopted in 1774;—of revolutionary Committees of Safety;—Journals of Provincial and Revolutionary Conventions, Congresses and Assemblies, either printed or in manuscript;—Court records, especially of trials for treason;—Parish and Church Registers;—records of births, death and marriages;—files and single numbers of ancient newspapers, pamphlets, books;—accounts of early settlements, discoveries and inventions;—accounts of battles, descriptions of battle-fields and fortifications;—epistolary correspondence, and in fine, every thing which, in your estimation, may possess historical value.

Let me entreat you, moreover, in addition to the early collections indicated in the foregoing paragraph, to prepare, or secure the services of a competent person, to prepare a sketch of the history of your county.

To attain uniformity in the series of county histories which I hope to obtain through the intervention of my friends throughout the State, perhaps a better plan cannot be suggested, than to make Wheeler's Sketches of North-Carolina available to the purpose. Take his account of your county, and re-write it, correcting errors, supplying omissions, and enlarging or retrenching as you may deem best calculated to present your views of the past and the present, fully and fairly, to the consideration of the historian.

I venture the hope that I shall receive such assistance from personal friends, and patriotic and intelligent gentlemen, with whom I have not the advantage of personal acquaintance, as will enable me to place in the possession of the historian materials not less extensive and authentic than those at the command of any of our sister states.

Do me the favor to reply to this communication with as little delay as practicable.

And believe me, very sincerely and truly,

Your friend and servant,

D. L. SWAIN.

The fruits of this letter may be seen in many of the documents printed in the present series. Others perhaps went into that large collection of autograph letters, some of which were dispersed in 1883 while others have in recent years come into possession of the State.

C. THE PROPOSED COMPILATION BY GOVERNOR SWAIN AND  
DR. HAWKS, 1858-1861.

In the meantime Dr. Francis L. Hawks had begun work on his History of North Carolina. He was an eloquent orator, an accomplished writer and a diligent investigator. The assembly by resolution of Dec. 23, 1856, had given him "leave to examine the public records and the library of this State, for the purpose of procuring such information as may be serviceable to him in preparing the history of North Carolina." But it is evident that Dr. Hawks and Governor Swain both felt



the disadvantage of working from fragmentary manuscript sources as compared with connected printed sources and that the most pressing need was that these sources, whatever they might be, should be gathered and then printed.

*Francis L. Hawks to D. L. Swain.*

N. YORK, Decr. 31. 1856.

MY DEAR GOVERNOR,

Tomorrow will be New-year's day, & so I begin with offering to you and your family all the kind wishes that are appropriate to the Season. Your two letters with the Historical Report &c. all reached me safely, and for them I heartily thank you. Very glad am I too that the agency is continued. I have materials to be added to your list. In England I obtained copies of documents which make a large folio vol: of 650 pages—These relate primarily to the affairs of the Episcopal Church in No. Carolina. but contain a great deal of matter besides, relating to civil affairs as well as to other denominations of Christians. I have had copies made of all, and intend presently to add them to the stores of our Historical Society at the University. Among them I have letters from Govr. Tryon which I dare say are in his letter book that you obtained from Harvard. I note them that you may see.

1. Tryon to Soc: for propagating the Gospel—Brunswick, July 31, 1765.
2. Tryon to Lords Commissioners of Trade & Plantations, August 12, 1765.
3. Tryon to the Bp. of London, Brunswick, Oct. 6. 1765.
4. Tryon to Soc. for prop. Gospel, No. Carolina Oct. 1, 1766.
5. Tryon to Do- Do- Do- Brunswick, April 30, 1767.
6. Do. to Do- Do- Do- " July 18, 1767.
7. Do to Do- Do- Do- " July 31, 1765.
8. Do- to Do- Do- Do- " Jany. 29, 1766.
9. Do- to Do- Do- Do- " June 10, 1768.
10. Do. to Do- Do- Do- " March 20, 1769.
11. Do- to Ld. Bishop of London " March 20, 1769.
12. Do- to Soc. for prop. Gospel. Bath, May 28, 1769.
13. Do- to Do- Do- Do- Brunswick, Sept. 3. 1769.
14. Do- to Bp. of London " June 10. 1768.
15. Do- to Rev. Mr. Drage, Salisbury. Newbern, July 9, 1770.
16. Do- to Vestry of St. Jas. New Hanover. Brunswick Feb. 9. 1770.
17. Do- to Do- Do- Do- Newbern. July 17, 1770.
18. Do- to Soc: for prop. Gospel. Newbern. July 22. 1770.
19. Do- to Vestry of St. Lukes, Rowan " Novr. 12. 1769.

Besides these my book contains some few from Gov. Josiah Martin; though I found among my Grandfathers papers, some years ago, a letter book of Martins, and deposited it in the office of State at Raleigh. I have now in my possession, copies I made from it.

1. Martin to Soc. for prop. Gospel. Newbern June 20, 1772.
2. Same to Bp of London—" June 20, 1772.

These two are all my London MSS. furnish. I do not think *Georgia* will furnish much, but So. Carolina & Virginia are worth examining. Our richest mine though is undoubtedly in England. \* \* \*

<sup>1</sup>A. L. S. North Carolina Historical Commission.

In November, 1858, Governor Swain and Dr. Hawks addressed a memorial to the assembly of 1858-59 in which was drafted an elaborate and admirable outline for a first series of volumes comprising a "Documentary History of North Carolina" and a second series to consist of the "North Carolina Statutes at Large." Their Memorial, printed as Document 49, session of 1858-59, is well worthy of reproduction in full:

*To the Senate and House of Commons of the*

*Hon. the General Assembly of North-Carolina:*

The undersigned beg leave, by means of this Memorial, to ask the attention of your honorable body to a subject of general interest to the citizens of all parts of the state, without distinction of party.

It is well known to members of your honorable body, that both your memorialists have, for some years past, been employed in a greater or less degree in the effort to collect and preserve all historic facts connected with the early settlement and progress of North Carolina, from the commencement of her political existence up to the present time.

Prompted to this work by the affection they bore to their native land, they have pursued their labors abroad as well as at home, among the private archives of our older families, as well as among the public records of the state, until the result of their efforts is the accumulation of a large mass of written documents, to say nothing of those in print, forming an exceedingly valuable and interesting series, illustrative of the history of North Carolina in various particulars.

In the examination of those in the public offices of the state, your memorialists have seen, with deep regret, that many of our earlier archives have been so injured by time, that portions of them are already illegible, and that unless means be speedily taken to preserve the contents of those that can yet be decyphered, there is reason to fear that ere long, the historic evidence they afford will be completely lost.

Your honorable body has already shown your appreciation of the importance of collecting and preserving the memorials of our past history. In the case of one of your memorialists, an appropriation has been made, to enable him, as the state's agent, to procure from England copies of documents there, illustrative of our past career; while a resolution of your honorable body has freely afforded to the other, unrestricted access, for historical purposes, to those we already possess.

Encouraged by these manifestations of interest and deeply impressed with the duty every state owes to itself to preserve and perpetuate its history, your memorialists are emboldened respectfully to submit to your honorable body a proposition, which, if approved by your judgment, will enable the state, with a due regard to economy, to accomplish a desirable object in which every one of her citizens is interested.

The proposition is, the publication, under the authority and auspices of the state, of a chronologically arranged series of her archives, which, when completed, will form the "Documentary History of North Carolina."—Several of the other States of the Union have done or are now doing this thing; but no southern state has yet ordered it; and we confess we would fain see our own the first to engage in such a purpose, with the determination to hand down to posterity the story of our ancestors. Of that story, with all becoming mod-

esty, we venture to say, it will be found a record so honorable, that the descendants of those ancestors can point to it, not boastfully, but gratefully, as evidence that their fathers were true men, of whom their posterity may speak proudly, and without a blush.

Of the details involved in such a work, your memorialists would briefly speak.

1. **MATERIALS.**—These would consist of all our public records that would properly belong to such a work; of all the documents of historic interest belonging to private families in the State; and of documents in the public offices of England. As it respects the last named, it became known to one of your memorialists, in the course of his labors, that copies of nearly all of these are already in this country. They belong to our distinguished countryman, formerly minister of the United States at the Court of St. James, the Hon. George Bancroft.

They were procured by him, while resident in Europe, for historic purposes of his own. By the liberality of their owner, one of your memorialists has been allowed the freest access to these, and can, therefore, attest their value. They consist of many folio volumes of MSS. transcripts made from the originals, under the supervision and at the sole expense of Mr. Bancroft. With a generosity and zeal in the cause of American history, above all praise, Mr. Bancroft handed to one of your memorialists a letter (of which a copy is appended to this memorial,) freely offering to the state of North-Carolina the gratuitous and unrestricted use of all these valuable MSS., on the single condition that the state would print, and thus preserve them as part of her documentary history. In addition to this, as we are possessed of a full catalogue of the North-Carolina colonial papers in the public offices of England, Mr. Bancroft stated that such were his arrangements in that country, that, should it be found any paper which the state might desire to have, was accidentally omitted in his collection, he could, by means of that catalogue, so designate the document, that he could readily put us in the way of obtaining a copy. In short he thought the whole expense of a special agency to England to procure the documents illustrative of North-Carolina history might be saved.

2. **MODE OF PUBLICATION.**—On this head, your memorialists would respectfully submit to your consideration that the cheapest and best plan would be to provide the necessary means by legislative appropriations of sums certain from time to time. The work could not be all done at once. It must extend over some period of time, as it would be otherwise impossible to prepare it properly for the press. A portion, therefore, might be printed each year, and an appropriation made accordingly. It is proper to add, that no one can, with certainty, say how many volumes would be necessary to comprise the whole. The exercise of a proper discretion in this respect would be within legislative control by means of granting or withholding appropriations.

The volumes as published would belong to the state, and be disposed of by direction of the legislature. The profit arising from the sale of such copies as were put in the market would belong to the State.

3. **PREPARING AND EDITING THE WORK.**—This requires care and a tolerably extensive knowledge of the history of the state in all its periods. Notes explanatory of some of the documents would sometimes be needed. The arrangement of the materials under proper heads would also demand the judgment and research of an editor. Your memorialists beg leave to say,



they trust not immodestly or presumptuously, that if in the judgment of your honorable body, they be deemed competent to this work of editing, they will very cheerfully and to the best of their ability, undertake the labor, on two conditions: first, that the work shall be carried to complection; and, secondly, that they be permitted to bestow their labors gratuitously.

As kindred to this subject, your memorialists would also invite the attention of your honorable body to the consideration of a publication of the North-Carolina Statutes at Large. Of these they believe they can now furnish a copy and such a publication, with historical notes, would of itself furnish no bad history. Virginia and South-Carolina have both very wisely had a work of this kind executed. Your memorialists would also edit these, on the conditions already named. And with these two publications completed, North-Carolina could point to her authentic history, even should no narrative of it ever be written.

D. L. SWAIN,  
FRANCIS L. HAWKS.

Raleigh, Nov'r, 1858.

NEW YORK, April 12th, 1858.

My Dear Friend: If the state of North-Carolina should wish to become possessed of my collection of papers illustrating the history of that state by printing them, I fully authorize you to say, that they are at the service of that commonwealth for that purpose without reservation on my part, and free of any expense that I may have incurred in making the collection.

I am ever, my dear sir,

Very truthfully yours,

GEORGE BANCROFT.

REV. DR. HAWKS.

The senate committee on the Hawks-Swain Memorial was composed of Bedford Brown, W. L. Steele, Josiah Turner, Jr., R. S. Donnell, B. M. Edney, and J. T. Gilmore. The house committee was J. M. Morehead, R. R. Bridgers, David Outlaw, James M. Bullock, John Kerr, W. T. Dortch, and W. N. H. Smith. In accord with their recommendation and in response to this Memorial the assembly passed the following Resolution:

That the governor be authorized to enter into an arrangement with Dr. Francis L. Hawks [and] Hon. David L. Swain to edit and publish, within the next two years, two volumes of the "Documentary History of North Carolina or of the Statutes at Large," of this State, upon the plan and conditions set forth in their Memorial to this general assembly; Provided, That edition shall not consist of more than 1000 copies of each volume. [Ratified Feb. 16, 1859.]

An effort was also made in the same assembly to extend some state aid to Dr. Hawks, who was just then publishing the first and second volumes of his History of North Carolina. Hon. John M. Morehead introduced a bill into the house which provided that copies of the His-

tory should be bought for the public schools and that the teachers should actually read from the same from day to day to their classes. This bill was defeated in the house by a vote of 75 to 33 and in the senate by 26 to 12. The original bill was then amended by Mr. Caldwell of Guilford so that it instructed the Literary Board to buy Hawks's History, volumes I and II, "for the use of each common school in the State" and pay for the same out of the escheats that then went to the University. This passed the house by a vote of 74 to 14 and was sent to the senate where it also was defeated by 26 to 12.

The assembly of North Carolina did not realize that no local historical work of this character can live without the due recognition by the State. Doctor Hawks's History was never finished nor did the proposed volumes of documentary records ever materialize.

The friends of historical investigation in North Carolina, although they recognized that the time was not propitious, were not yet willing, however, to cease from their efforts, and the assembly of 1860-61, conscious of impending danger and desirous of putting this precious material beyond the reach of danger, passed the following Resolution:

That the secretary of state and the state librarian be and they are hereby directed to contract for the printing of 100 copies of the following manuscript records now in the office of the secretary of state, to wit:

1st. Journals of the assembly of the province of North Carolina, held in the year 1715.

2nd. Journals of the assembly of North Carolina, from the year 1754 to the year 1775.

3rd. Council book or proceedings of the governor and council of North Carolina, from the year 1734 to 1740.

4th. Council book or proceedings of the governor and council of North Carolina, from the year 1764, till the Revolution.

5th. Journals of the Provincial Congress of North Carolina, from 1774 till the Revolution.

6th. Journals of the general assembly from the year of independence to the year 1800, not hitherto published, and not now found in the state library.

Resolved further, That the secretary of state and the state librarian be and are hereby directed to have the colonial records and legislative proceedings herein ordered to be published, printed at the North Carolina Institution for the Deaf and Dumb and Blind.

Resolved further, That the secretary of state and the state librarian have the said copies of the foregoing records and documents bound and deposited in the office of secretary of state, subject to the further orders of the general assembly. [Ratified Feb. 23, 1861.]

It would seem that some effort was made to carry into effect the terms of this resolution, for we find in the report of the comptroller for the

year ending Sept. 30, 1861, the following expense entry in April, 1861: "Misses Litchford and Stuart for copying colonial records under resolution of general assembly authorizing the publication thereof, \$14.60." In the same report we find another entry of the same kind and evidently referable to the same source (Dec., 1860): "D. L. Swain for Martin manuscript of History of North Carolina, \$103.50."

It was now 34 years since the state had made its first serious effort looking toward the collection of the original sources relating to its colonial history. Much manuscript material had been brought together from secret and widely scattered recesses within the State itself, while others had come to the State from public libraries from beyond her borders, but none had come directly from the land beyond the sea. The assembly had often resolved that this and that be printed, but nothing had actually been published relating to the colonial period except the Indexes to Documents of 1843. In this connection one more resolution—one passed by the Convention of 1861—is to be chronicled:

Whereas, Resolutions ratified the twenty third of February, 1861, were passed at the last general assembly, directing the printing of certain colonial and other records:

Resolved, That the publication of the same be suspended until further order from this convention, or of the general assembly of the State. [Ratified December 12, 1861.]

This was the end. Clio had yielded to Bellona.

#### D. THE RENAISSANCE OF HISTORICAL STUDIES IN NORTH CAROLINA.

For the score of years following 1861 there is no mention of history in those records which may be properly styled the official autobiography of the state. During those two decades the men of North Carolina did their share towards fighting a great war to a finish and then in redeeming the South from the pall of African darkness which had begun to settle over it. By 1876 home rule had been restored and the people had opportunity to look around them and readjust themselves to the new situation. It is no little to their credit that they turned so soon from the pressing needs of the day and began again to take up the threads of historical investigation where they had been dropped when the student exchanged the stylus for the sword.

Governor Jarvis, who had a part in the inception of this awakening, has recently told the story of that part. It seems well to reproduce that story, as it too forms an interesting human document.



The people of North Carolina have been history makers but not history writers. They have been doers of great things, but they have been criminally careless about the writing of the records and preserving them. I propose, with the permission of your president, to narrate just two or three little instances that illustrate this fact. In 1879, soon after I had the honor of being inaugurated governor of North Carolina, Col. F. A. Olds, then the quartermaster-general of the State Guard, who was then, as he is now, always trying to do something for the state, came to me one day and said, "Governor, would you be willing for me to go down to the old arsenal, clean it out, throw away all the old *débris* in it, and fix up the building for the State Guard to preserve the ammunition and arms." I said, "Fred, I don't know about that; I don't know what is there, but we will walk over there and see." We went into the old arsenal and there found a large number of old knapsacks, old military clothing of the Kirk-Holden war, large piles of old papers; and there, too, were ballot boxes in which the people had voted at the three-days' election in April, 1868. These ballot boxes had been sent to Charleston, S. C., the votes counted there by General Canby, and then the boxes had been sent back here and put away in that old arsenal. In addition to the old military accouterments and ballot boxes there was more than a wagon load of old papers, documents and manuscripts of all sorts. I said to Colonel Olds, "Fred, get Colonel Saunders to come down here with a servant to help him. You and he can examine these records; whatever he says is worthless you can throw away or destroy." We spoke to Colonel Saunders about it and he consented. Will you believe me when I tell you in that old pile of *débris* they found the original manuscript copy of the journal of the Halifax convention, which formed our first state constitution? You may be curious to know how it got there. I happen to know that.

In 1868 a man named Ashley was elected superintendent of public instruction. He was assigned to the room on the third floor of the west wing of the capitol. He did not like this room for his office, and he did not want to remain there. At that time the supreme court occupied the two rooms now occupied by the secretary of state, the secretary of state had the larger of the two rooms now occupied by the auditor, and the auditor the smaller one. The governor and his council made an order to move Ashley down on the first floor in the office occupied by the secretary of state, to move the secretary of state to the supreme court room, and to move the supreme court up to the garret to the room occupied by Mr. Ashley. Judge Pearson and his associates were very indignant. They appealed to the legislature; a bill was introduced in the house of representatives to assign the garret room to Ashley and to allow the court to remain where it was originally, and for twenty-four hours a fierce conflict went on in this hall between the friends of the supreme court and the friends of the educational department. Finally the democrats took the side of the supreme court and passed the resolution. While that conflict was going on up here, Ashley was busy down in those two offices below moving everything and trying to get possession before we could pass the resolution, and the rotunda of the capitol was piled up with wagon loads of the records, which had been moved out of the office of the secretary of state. And after we had passed the resolution, instead of putting those records back where they belonged, they gathered them up and put them in that old arsenal. \* \* \*

There is another instance that I want to mention. I suppose there is no lover of North Carolina who does not glory in the fact that the state had a loyal, faithful son by the name of William L. Saunders, who compiled and edited the

Colonial Records of our state. Let me tell you how he came to undertake that great work. After he had found that old manuscript copy of the journal of the Halifax Congress down in the old arsenal, he said to me one day, "Governor, isn't there some way that can be devised to enable me to collect the Colonial Records of the Colony of North Carolina and get them together so as to preserve them?" I replied, "I don't know, Saunders, but I will think about it. Come to-morrow and we will talk this matter over." He came and I said, "I will tell you what to do. Write a simple little resolution to this effect: 'That the trustees of the state library are authorized to take such steps as in their judgment may be necessary to collect and publish the Colonial Records of the colony of North Carolina.'" Well, he wrote it. I sent for two or three members of the legislature, handed it to them, and asked them to have that resolution passed. You will find it in the public laws—a little resolution it is, in length, but no man can tell how much it cost to carry it out, or the intrinsic, the eternal, the everlasting value of the work now that it is done!

Of course, the legislature did not inquire into the magnitude of the work or the probable cost, but they were willing to trust the trustees of the state library, who happened to be myself, Saunders, and Scarborough. After it was passed I said to Colonel Saunders, "I have plenty of my own work to do. You look after this and when you want a meeting of the trustees call it, and understand you always have two votes, yours and mine." \* \* \*

After this interesting excursus into the field of reminiscence we come back to the solid ground of documentary evidence.

In the assembly of 1881, the Hon. Theodore F. Davidson, later attorney general, was a member of the senate from the 40th district. On January 13, 1881, he introduced into the senate and championed a bill "to authorize the trustees of the public library to publish certain public records, &c." The bill was duly referred to the joint committee on the library and seems to have met with little or no opposition, was regularly reported favorably on Feb. 2, and on Feb. 4 passed its several readings and was sent to the house, where it was duly passed on Feb. 10. It stands as chapter 88, Laws of 1881, and is as follows:

SECTION 1. That the trustees of the public library are hereby authorized to publish such number of volumes of suitable size, of the records, papers, documents and manuscripts as they may deem proper, bearing date prior to the years 1781, belonging to the state of North Carolina: Provided, That the printing and binding shall be done by the public printer and binder at the rates fixed by law and paid for out of the fund appropriated in section four, chapter ninety six, Battle's Revisal, for the increase of the public libraries of the state.

SEC. 2. That the said trustees shall have authority to sell on such terms as they may deem proper any volumes printed under authority of this act that may not be reserved for the use of the said public libraries.

SEC. 3. That this act shall take effect from and after its ratification. [Ratified Feb. 17, 1881.]

<sup>1</sup>From address before the N. C. Literary and Historical Society, Jan., 1911.

The trustees of the public libraries were at that time Governor Jarvis, W. L. Saunders, secretary of state, and John C. Scarborough, superintendent of public instruction. To the assembly of 1883 Saunders and Scarborough made a report, as trustees, showing the progress already made under the act of 1881, explaining why no publication had as yet been made and asking for aid to carry on further researches.

This report appears as Document 20, session 1883, and is as follows:

REPORT OF THE TRUSTEES OF THE LIBRARY.

ROOMS STATE LIBRARY,  
February 3rd, 1883.

*To the Honorable the General Assembly of North Carolina:*

The trustees of the public libraries, though not required by any law to make a report to your honorable body, think it expedient in the discharge of their duties to do so at this time.

Their purpose is, respectfully, to show to your honorable body, the progress they have made in the discharge of the duties imposed upon them by the provisions of chapter 88, laws of 1881, with reference to the publication of the Colonial Records of North Carolina, and the reason why they have not made greater progress.

The attention of the trustees was called at an early period of their term of office, to the records in the office of the secretary of state, and whenever the press of other duties permitted they prosecuted the task of examining those records. Their condition demonstrated the absolute necessity of securing to them at once, the perpetuity of print, the only sure guarantee of permanent preservation. Near a quarter of a century ago, those two devoted sons of this state, David L. Swain and Francis L. Hawks, in a memorial to the legislature said they had "seen with deep regret that many of our earlier archives have been so injured by time that portions of them are already illegible, and that unless means be speedily taken to preserve the contents of those that can yet be deciphered, there is reason to fear that ere long the historic evidence they afford will be completely lost." The lapse of time has proved how well grounded were the fears they entertained.

In their work of examination, the trustees took the adoption of the constitution on the 18th of December, 1776, as their starting point and proceeded with their task, going from later to earlier date, until some degree of familiarity was attained with all of what may properly be termed on [our] public records, from 1776 to 1711, in the secretary's office.

The Letter Book of Governor Tryon, consisting of a complete file of his dispatches back to the home government, the great value of which, even the most cursory examination makes apparent, suggested the existence of other governor's letter books of a similar character. That of Governor Martin was in the order of things first sought for, and especially to be desired, for it could not be doubted that his dispatches from his inauguration until he was driven aboard ship at Fort Johnston, that is to say, from 1771, till July, 1775, would be a most instructive presentation of men and things in North Carolina at that period. But no where could Martin's Letter Book be found.



Application was made to Colonel Wheeler and others to know if such a thing as Martin's Letter Book had ever been in the secretary's office. He replied in the negative, but stated that he possessed copies of some and copious extracts of many of Martin's dispatches, made by him from the originals in the public offices in London, and these the trustees obtained from him.

Further examination showed further important gaps in our records of like character. Indeed, Tryon's Letter Book is the only ante-revolutionary governor's letter book that we have. The question then presented itself whether to prepare to go to press with the material we had, or wait and make an effort to fill up its gaps. In determining this question it became necessary to consider the various sources from which we might reasonably expect to find the necessary records.

#### THE WILLIAMSON COLLECTION.

Dr. Williamson published his History of North Carolina in 1812, and he doubtless had a valuable collection from his own description of it. So far, however, as the knowledge of the trustees goes, no one knows what has become of this collection.<sup>1</sup>

#### THE MARTIN COLLECTION.

This collection too, was doubtless an exceedingly valuable one. The present value of it, however, is probably not very great. Of its documents Judge Martin himself said in 1829, "In their circuitous way from Newbern to New York and New Orleans, the sea water found its way to them; since their arrival, the mice, worms, and the variety of insects of a humid and warm climate, have made great ravages among them. The ink of several very ancient documents has grown so pale as to render them nearly illegible, and notes hastily taken on a journey are in so cramped a hand that they cannot be deciphered by any person but by him who made them."

If such was the condition of the collection in 1829, more than fifty years ago, what is it now? Inquiry is, however, now being made looking to its recovery.<sup>2</sup>

#### THE SHOCCO JONES COLLECTION.

The private manuscripts used by Shocco Jones in preparing his Defence of North Carolina were recovered and returned to their owners some twenty-five years ago or put in other collections.

#### THE WHEELER COLLECTION.

The hopes that were recently excited by the statement that Colonel Wheeler had bequeathed his valuable historical papers and manuscripts to the State was soon dissipated by information from his son that they had been otherwise disposed of before his death. There is now no reason to think that North Carolina will ever reap any further benefit from his labors.<sup>3</sup>

<sup>1</sup>For further account of Williamson's work, see ante, p. 12.

<sup>2</sup>For more details, see p. 13, ante.

<sup>3</sup>The larger part of the Wheeler library was sold by Bangs in New York City, April 24, 1882. It was neither large nor valuable and had little North Carolina material. The more valuable North Carolina documents and laws were reserved by his son, Major Woodbury Wheeler, a part going to the Library of Congress and a part being bought in March, 1899, by the present writer. My own opinion is that the Wheeler collection was never of much value from either the monetary or historical point of view. See also ante, p. 36.

## THE HAWKS COLLECTION.

So far as the information of the trustees goes the whereabouts of this collection is not known, although frequently inquiries have been made concerning it.<sup>1</sup>

## THE SWAIN COLLECTION.

Of this collection, the most valuable probably ever made, and doubtless the repository of documents from every other preceding collection, we can speak with certainty, for within a few days past Mrs. Swain, the widow of the late Governor Swain, has generously made a donation for the public benefit of all the papers it contains of historical value. This collection was the fruit of fifty years devoted, intelligent, indefatigable, and painstaking research. Of its fulness we may judge from Governor Swain's declaration in his report as agent for the state to procure documentary evidence of its history made to the governor in 1856, that there were few important papers in North Carolina which reflect light upon the colonial era which were not in his possession or at his command. The trustees cannot refrain from expressing their sense of the obligation of the people of North Carolina to Mrs. Swain for her generous and timely donation, and they can but believe the obligation will be remembered with gratitude by generations to come.<sup>2</sup>

None of these collections, however, claim to fill the gaps in our records. Dr. Williamson, in the preface to his History, calls attention to "the chasms in the journals and records remaining in the secretary's office," and suggests that they might be easily supplied by reference to the records in the public offices in London, and Governor Swain died lamenting that circumstances had prevented him from carrying out Dr. Williamson's suggestion. None of these collections therefore, even if we could get them intact, promise any help.

As late as 1856 Dr. Hawks wrote to Governor Swain saying, "I feel the need of documentary evidence yet in England; not in my first volume. . . . But in my second and subsequent volumes I have relied very much on this movement of the state for speaking confidently and truthfully. . . . So far as my opinion is of any value, you are free to say, that I consider the thorough examination of the papers in England by some one who, like yourself, knows all that we now possess of our early history, to be of the very first importance to a truthful narrative of the past, that we ought to possess copies of these papers; and that I earnestly hope our countrymen will facilitate in every way they can, your efforts to obtain them."

<sup>1</sup>The Hawks Collection of books was bought in 1867 by William Niblo and presented to the New York Historical Society, where it is preserved, being known as the Hawks-Niblo Collection. It is very rich in the sources of North Carolina history which had been printed up to that time. (See "The Hawks Memorial" issued by the New York Historical Society, 1871, which contains a catalogue of the Collection.) There is no record in the Catalogue of any manuscript materials. It is understood that Dr. Hawks's personal manuscripts went to North Carolina before the war for the purpose of becoming a part of the Documentary History which he and Governor Swain had in mind to edit. See ante, p. 61. And from his own statements it is evident that he depended on Bancroft for a large part of his manuscript material.

<sup>2</sup>See the Catalogue of the Swain Collection of Autograph Letters. Raleigh, 1885. This was undoubtedly the largest and most valuable collection of colonial and revolutionary manuscript materials ever gathered by a private individual in the history of the state. See also post, p. 147.

<sup>3</sup>See ante, p. 12.

The archives of Virginia, South Carolina and Georgia will doubtless be of some service when properly examined, but this it may be said is a matter of speculation. Not so with the archives in London, however. What they contain is a matter of absolute recorded certainty.

#### RECORDS IN LONDON.

To the public offices in London public attention has been turned from the beginning as the proper place from which to get materials to fill the gaps and chasms in our records, and the legislature has taken action thereon time and again. \* \* \*

[Here follow the Resolutions of 1827 and they are followed in turn by a summary of the various steps taken by the legislature 1827 to 1861 looking towards the publication of the records as already given in detail on p. 29.]

#### WHAT IS LACKING.

The documents that we specially need are the journals of the council of state, prior to 1711; the journals of the lower house of the legislature to 1754; those of the upper house prior to 1765, and the dispatches of the various governors.

Tryon's Letter Book is a perfect treasure to all who desire information in regard to North Carolina at the period of which it relates, and from every standpoint. And what Tryon did in his dispatches, we doubt not his predecessors did in theirs, that is to say, presented a living picture of the colony at the time of writing, and this constitutes the great value of these dispatches.

The inspection of the list furnished by Mr. Gallatin shows that in a great degree the documents we need are to be had in London. Nor will the mass of the matter seem to be so great when it is remembered how brief were the sessions of the legislature in early days.

In view of all these facts, the trustees determined to print nothing until an appeal was made to the legislature for authority and assistance to procure from London the lacking documents. That they will be gotten sooner or later we doubt not, but we earnestly hope that authority will be given to us to have it done at once. For over fifty years the general assembly has been authorizing this thing to be done. Let it now be done, done well and done for all time.

In case, however, the general assembly shall take no action in response to this appeal, the trustees will in due time proceed to publish the fragments of records they now have. In this event they doubtless will make the publication in four volumes, both by reason of the natural division of the subject matter and of economy in publication.

The contents will be about as follows:

Volume I. Will contain our scanty records of the rule of the Lords Proprietors, to 1729, and of the royal governors Burrington and Johnston from that date to 1754. Governor Johnston's administration, if the matter of our records on our shelves was sufficient, would deserve doubtless to be chronicled in a volume to itself. But the matter is not sufficient to justify the additional expense of such an arrangement.

Volume II. Will cover Dobbs's administration, that is to say, the journals of the lower house of the legislature, and of the council of state from 1754 to 1765, being all we have.



Volume III. Will cover Tryon's administration, that is to say, the council journals, the journals of both houses of the legislature, and his letter book—from 1765 to 1771.

Volume IV. Will cover Martin's administration, that is to say, the journals of the council of state, and of both houses of the legislature from 1771, to April, 1775, when he fled from Newbern; the five provincial congresses; journals of the councils of safety, etc.; such dispatches as we have from Martin to the home government; the journal of the Wilmington Safety Committee, etc., etc.

A comparison of the Martin dispatches obtained from Colonel Wheeler, with the list of those on file in London, shows that what we have is only a small proportion of those in existence.

It may be further stated, that in the event we have to go to press without completing our records, that the third of the above volumes will be first printed, and at no very distant day. There are fewer "chasms" as Dr. Williamson called them during that period than in any other, in fact there are scarcely any at all.

In response to this appeal from the trustees of the public libraries, on March 3, 1883, Col. Samuel McDowell Tate, member of the house from Burke, introduced into the house a short resolution embodying the desires of the trustees. Col. Tate championed the measure, which met with little opposition. It passed the house on the eighth and was sent to the senate. It was received in the senate on the 8th, was supported on the floor by Hon. James L. Robinson, then speaker, and passed its second and third readings the same day. It was ratified on the last day of the session and is as follows:

#### PUBLIC RESOLUTION.

That the trustees of the public libraries be and they are hereby authorized and directed to procure such of the colonial records of this State as may be missing from the archives of the State, and to publish them with the records heretofore authorized to be published. And in case the library fund shall prove to be insufficient to meet the expenses incurred in carrying out this resolution, the author is directed to draw his warrant for such sums as the trustees aforesaid shall certify to him to be needed to complete said work. [Ratified March 12, 1883.]<sup>1</sup>

After the passage of the Resolution of 1883 it was possible for the trustees to begin work in real earnest. In the preface to the first volume of the Colonial Records Col. Saunders has told of the steps that were then taken:

The first step taken under the resolution was to secure the services of Mr. W. Noel Sainsbury of the British Record Office, . . .

<sup>1</sup>Chapter 88 of the laws of 1881 and the above resolution are brought forward in the Code of 1883 as secs. 3608, 3610 and 3611.

To the historical student, Mr. Sainsbury needs no introduction. For the information of others, however, it may, perhaps, be well enough to state that Mr. Bancroft writes that Mr. Sainsbury is a "veteran in the State Paper, now Record Office, of Great Britain. I have known him for nearly forty years; have employed him very frequently during that time, and have always found him intelligent, accurate, and in every way trustworthy. My own collection of documents is full of copies of state papers which he has made for me. Having been so long in service, and so much appealed to by American scholars, he has become thoroughly familiar with the subject as may be seen from his Colonial Series of State Papers reaching from 1574 to 1668."

With such commendation from such a source, every one may feel assured that Mr. Sainsbury has done his part intelligently, faithfully and thoroughly. His instructions were to do the work so thoroughly and so exhaustively that there would never be need or desire for it to be done over again, and it is believed that we now have copies of all North Carolina colonial papers in the British Public Record Office.<sup>1</sup>

The original act of 1881 had limited the proposed compilation to the period prior to 1781 and the ten volumes of Colonial Records edited by Colonel Saunders had carried the work through 1776. After Judge Clark undertook the editorial work it was found desirable to extend the period to be covered to 1790 and to provide for an Index which was lacking in the separate volumes as printed. This was done by chapter 464, laws of 1895:

SECTION 1. That section 3609 of The Code is amended by striking out the words "eighty one" in line five and inserting instead the word "ninety."

SEC. 2. That section 3610 is amended by striking out the word "colonial" in line two and inserting after the word "state," in line three the "or copies of the same, or of other unpublished material illustrative of the history of the state down to January first, A. D., one thousand seven hundred and ninety (1790)."

SEC. 3. The trustees of the public library will cause an index of these records, from the first volume of the Colonial Records down to January first, one thousand seven hundred and ninety (1790), to be prepared and printed in the volume which shall embrace the year one thousand seven hundred and eighty nine (1789).

SEC. 4. That this act shall be in force from and after its ratification. [Ratified Mar. 11, 1895.]

Finally there comes the act of 1901 (chapter 632) which amends and extends the act of 1895:

SECTION 1. That chapter 464, laws of 1895, is hereby amended by striking out "1790" wherever it appears in said act and inserting in lieu thereof "1791." the intent of this statute being to extend the publication of the State Records down to 1st January, 1791.

<sup>1</sup>Preface to Col. Rec. I, pp. vi-vii.

SEC. 2. This act shall be in full force from its ratification. [Ratified March 13, 1901.]<sup>1</sup>

But troubles were not yet over. In the preface to volume XI, the first of the series of State Records edited by Judge Clark, he tells of some of the difficulties that confronted the new editor. He says:

At a period somewhat prior to the death of the late Col. William L. Saunders, the compilation and publication of the Colonial Records which, under his efficient superintendence, had reached from the beginnings of the province down to and inclusive of the year 1776, and filled ten large folio volumes, were suspended. This work was not resumed for some years, till in 1893 the undersigned, at the invitation of the trustees of the state library, assumed the continuation of the work of collecting and publishing. It was soon ascertained that the difficulties of the work and the scarcity of material were much greater than had attended the preparation of the ten volumes already issued, and that this scarcity of material, even more perhaps than the failing health of Col. Saunders, had caused him to suspend at the end of the year 1776, instead of bringing the work down to the year 1781, as authorized by The Code, section 3609.

Down to the outbreak of hostilities in 1775, and the flight of Gov. Josiah Martin from the state, copies of all important papers were "sent home" to England, and there preserved in the Public Records office. When the state determined upon the publication of her Colonial Records a tolerably complete set of these official records were to be found in London. Under the instructions of Col. Saunders, these were copied for the state by W. Noel Sainsbury, Esq., who was admirably fitted for the work by more than forty years acquaintance with these records. After passing through his hands and those of Col. Saunders, these copies formed the chief material for the ten volumes which have been issued, the additions from other sources being comparatively insignificant.

But with the year 1776, this source of supply ceased. Copies of official records were no longer sent to England to be filed, and consequently the state is thenceforward thrown upon her home resources for historical records. These are very meager indeed. For many years after 1776 the governor and other executive officers resided at their homes, often at remote points, meeting only when the legislature was in session. There was no permanent seat of government for nearly a score of years, and no fixed and safe depositories for the public archives. Papers thus scattered and little cared for soon became much disordered and a large portion of them were lost or destroyed. As for those which remained to be transferred to the capital when it became settled at Raleigh, a large part were burned in the fire which destroyed the capitol building on June 12, 1831, others were destroyed when Raleigh was taken possession of by the Federal troops in 1865, and some valuable documents disappeared during the régime of 1868-70, when many new men of doubtful character filled unaccustomed seats in the legislature and other official positions. Valuable papers from time to time have been loaned to historians and lost, or at least have not been returned, and besides this there has been the natural waste of material kept in ill-ventilated and damp recesses without attention or care.

<sup>1</sup>The acts of 1831, 1895 and 1901 and the resolution of 1883 are brought forward as section 5071 of the Revisal of 1905 and as section 5071 of Pell's Revisal.



It may be imagined, therefore, that our early archives are conspicuous from their poverty. Little was to be found therein save such portions of the executive correspondence as many years after this date had been copied into the executive letter books and a part of the journals of the legislature, some of these last being lost and others mutilated. An attempt was made to supplement our stores from the archives at Washington, but the same waste of material consequent upon a peripatetic capital had lessened the quantity of material to be found there, which had been still further diminished by the burning of the War Department early in the century, and again, a few years later in 1814, when the British captured Washington and destroyed the public buildings.

The writer visited and inspected the "Draper" collection preserved in the capitol of Wisconsin, the Astor and Lenox libraries in New York, and the State and War and other departments in Washington City, and has gathered fragments, as they could be found, from various other sources. After all, the collection is very unsatisfactory, but probably represents very nearly the sum total of the historical material (not heretofore printed), which at this late day can be gathered together. It must always be a source of lasting regret that the legislature of 1829 did not accept the offer of Judge Murphey, to collect and publish such of the early archives of the state as at that date still remained.<sup>1</sup> We possess a bare fragment of the stores accessible to him. The correspondence of General Gates in 1780, so far as it relates to this state, has been copied from the originals on file in the Astor Library in New York, and there is a possibility of securing copies of General Greene's correspondence, 1781-3, relative to North Carolina and North Carolina troops while commanding the Southern Department. Permission to copy these was given, but the owner having died before it could be done, the letters have now passed into other hands.

Application was made to W. Noel Sainsbury, Esq., to make a more exhaustive search in the Public Records office in London. The result has been the discovery of a few papers which were overlooked in copying the records for Colonel Saunders and many other papers were found in the South Carolina files in the English records office, the papers of the two provinces often pertaining to subjects of interest, common to both, not being filed in duplicate. These omitted papers have now all been copied and appear in the Supplement 1730-1776, which occupies the first part of the present volume.

<sup>1</sup>See ante, pp. 15-28.

## CHAPTER II.

### THE COLONIAL AND STATE RECORDS.

#### I. BIBLIOGRAPHICAL.

For the sake of the librarian and bibliographer of the future it seems desirable to give with fulness a detailed bibliographical account of these volumes, especially as there are many irregularities and inserted pages which do not appear in all copies and for the sake of the busy student to point out briefly the main classes of materials to be found in their pages.

The / colonial records / of / North Carolina / published under the supervision of the trustees of the public libraries, by order / of the General Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. i — 1662 to 1712 / Raleigh / P. M. Hale, printer to the state / 1886 /

Collation: title, c. and pr. on v., 1 l.; editor's preface, iii-viii; prefatory notes by editor, ix-xxxiv; colonial records, 1-992. Total, 1026.

Size: The Colonial Records are  $11\frac{1}{2} \times 7\frac{1}{2}$  in., or  $29 \times 19$  cm. and are uniform. The State Records are  $10\frac{3}{4} \times 7\frac{1}{4}$  in. or  $27.5 \times 18.5$  cm., but not entirely uniform. The Index is  $11 \times 7$  in., or  $27.5 \times 18$  cm., and uniform. The Colonial series was published uncut. All the other volumes were trimmed by the binder. The first five volumes were printed by E. M. Uzzell, Raleigh; vols. 6-10 by Edwards & Broughton, Raleigh; vols. 11-14 were presumably printed by Stewart; vols. 15 to p. 160 of vol. 28 (vol. 2 of Index) were printed by Nash; vol. 28 from p. 161 to vol. 29, p. 391, by the Observer, Charlotte; the remainder of vol. 29 and vol. 30 by E. M. Uzzell.

The / colonial records / of / North Carolina / published under the supervision of the trustees of the public libraries, by order / of the General Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. ii — 1713 to 1728 / Raleigh / P. M. Hale, printer to the state / 1886 /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xix; colonial records, 1-923. Total, 942.

The / colonial records / of / North Carolina / published under the supervision of the trustees of the public libraries, by order / of the General Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. iii — 1728 to 1734 / Raleigh / P. M. Hale, printer to the state / 1886 /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xviii; colonial records, 1-643. Total, 661.

The / colonial records / of / North Carolina / published under the supervision of the trustees of the public libraries, by order / of the General

Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. iv — 1734 to 1752 / Raleigh / P. M. Hale, printer to the state / 1886 /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xxii; 1 l. blank; colonial records, 1-1348. Total, 1370.

The / colonial records / of / North Carolina / published under the supervision of the trus-/tees of the public libraries, by order / of the General Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. v — 1752 to 1759 / Raleigh / Josephus Daniels, printer to the state / 1887 /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-lxi; colonial records, 1-144+144a-144h+145-1228. Total, 1297.

The / colonial records / of / North Carolina, / published under the supervision of the trus-/tees of the public libraries, by order / of the General Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. vi — 1759 to 1765 / Raleigh / Josephus Daniels, Printer to the State / 1888 /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xxxv; colonial records, 1-900+900a-900b+901-1154+1154a-1154b+1155-1322. Total, 1361.

Note.—In many copies of this volume pp. 1155 and 1156 are missing.

The / colonial records / of / North Carolina, / published under the supervision of the trus-/tees of the public libraries, by order / of the General Assembly / collected and edited / by / William L. Saunders / secretary of state / vol. vii — 1765 to 1768 / Raleigh: / Josephus Daniels, Printer to the State. / 1890. /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xxxiv; 1 l. blank; colonial records, 1-168+168a-168f+169-990+1 l. blank+991-1009. Total, 1049.

The / colonial records / of / North Carolina, / published under the supervision of the trus-/tees of the public libraries, by order / of the General Assembly. / collected and edited / by / William L. Saunders, / secretary of state. / vol. viii — 1769 to 1771. / Raleigh: / Josephus Daniels, Printer to the State. / 1890. /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xlviii; colonial records, 1-80+80a-80b+81-478+479a-479b+479-796. Total, 848.

The / colonial records / of / North Carolina, / published under the supervision of the trus-/tees of the public libraries, by order / of the General Assembly. / collected and edited / by / William L. Saunders, / secretary of state. / vol. ix — 1771 to 1775. / Raleigh: / Josephus Daniels, Printer to the State. / 1890. /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xlvii; colonial records, 1-1285. Total, 1332.

The / colonial records / of / North Carolina, / published under the supervision of the trus-/tees of the public libraries, by order / of the General Assembly. / collected and edited / by / William L. Saunders, / secretary of state. / vol. x — 1775-1776. / Raleigh: / Josephus Daniels, Printer to the State. / 1890. /

Collation: title, c. and pr. on v., 1 l.; prefatory notes, iii-xli; colonial records, 1-138+138a-138b+139-618+618a-618d+619-680+1 folding table not numbered+681-870+870a-870h+871-1041. Total, 1096.

Total pages in ten volumes of Colonial Records, 10,982+1 folding table.



The / state records / of / North Carolina. / published under the supervision of the / trustees of the public libraries, / by / order of the General Assembly. / — / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / — / vol. xi — 1776, and supplement — 1730 to 1776. / — / Winston: / M. I. & J. C. Stewart, Printers to the State. / 1895. /

Collation: title, 1 l.; preface, iii-vi; prefatory notes, vii-xx; supplementary colonial records, 1-305, with inset map between pp. 80 and 81; state records, 307-837. Total, 857+1 folding map.

The / state records / of / North Carolina. / published under the supervision of the / trustees of the public libraries, / by / order of the General Assembly. / — / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / — / vol. xii — 1777-'78. / — / Winston: / M. I. & J. C. Stewart, Printers to the State. / 1895. /

Collation: title, 1 l.; prefatory notes, iii-v; state records, 1-880. Total, 885.

The / state records / of / North Carolina. / published under the supervision of the / trustees of the public libraries, / by / order of the General Assembly. / — / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / — / vol. xiii — 1778-'79. / — / Winston: / M. I. & J. C. Stewart, Printers to the State. / 1896. /

Collation: title, 1 l.; prefatory notes, iii-xiv; 1 l. blank; state records, 1-734+734a-734o+735-1000. Total, 1029.

The / state records / of / North Carolina. / published under the supervision of the / trustees of the public libraries, / by / order of the General Assembly. / — / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / — / vol. xiv — 1779-'80. / Winston: / M. I. & J. C. Stewart, Printers to the State. / 1896. /

Collation: title, 1 l.; prefatory notes, iii-xvi; state records, 1-876 (p. 586 is a map). Total, 892.

The / state records / of / North Carolina. / published under the supervision of the trus-/tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / vol. xv — 1780-'81. / — / Goldsboro: / Nash Bros., Book and Job Printers, / 1898. /

Collation: title, 1 l.; prefatory notes, iii-xiv; state records, 1-789, with inset map between 380 and 381. Total, 803+1 map unnumbered.

The / state records / of / North Carolina. / published under the supervision of the trus-/tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / vol. xvi — 1782-'83. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C., / 1899. /

Collation: title, 1 l.; prefatory notes, iii-xii; state records, 1-1204. Total, 1216.

The / state records / of / North Carolina. / published under the supervision of the trus-/tees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / vol. xvii — 1781-'85. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1899. /

Collation: title, 1 l.; prefatory notes, iii-x; state records, 1-1061. Total, 1071.

The / state records / of / North Carolina. / published under the supervision of the trustees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / vol. xviii — 1786. / with supplement, 1779. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1900. /

Collation: title, 1 l.; prefatory notes, iii-ix; state records, 1-825 (pp. 497-498 are a map of N. C. in 1783). Total, 834.

The / state records / of / North Carolina. / published under the supervision of the trustees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / vol. xix — 1782-'84. / with supplement—1771-'82. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1901. /

Collation: title, 1 l.; prefatory notes, iii-vi; state records, h. t., 1 l.+1-1001. Total, 1009.

The / state records / of / North Carolina. / published under the supervision of the trustees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / one of the justices of the supreme court of N. C. / vol. xx — 1785-'88. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1902. /

Collation: title, 1 l.; prefatory notes, iii-vii; state records, 1-793. Total, 800.

The / state records / of / North Carolina. / published under the supervision of the trustees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / chief justice of the supreme court of N. C. / vol. xxi — 1788-'90. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1903. /

Collation: title, 1 l.; prefatory notes, iii-vi; state records, 1-1083. Total, 1089.

The / state records / of / North Carolina. / published under the supervision of the trustees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / chief justice of the supreme court of North Carolina. / vol. xxii. / miscellaneous / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1907. /

Collation: title, 1 l.; prefatory notes, iii-vii; state records, 1-1049. Total, 1056.

The / state records / of / North Carolina. / published under the supervision of the trustees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / chief justice of the supreme court of N. C. / vol. xxiii. / laws 1715-1776. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1904. /

Collation: title, 1 l.; prefatory notes, 1 l.; laws, 1-1000. Total, 1003.

Of this edition, pp. 1-96 are printed from the ms. revisal of 1715 in the State Library; pp. 1-386 cover the field represented in Swann's Revisal of 1752; pp. 1-930 that of the Davis Revisal of 1773; pp. 977-1000 give the constitution and ordinances of 1776.

Chronologically arranged, except that the private laws in this edition are all transferred from their chronological place and printed together in vol. 25.

The / state records / of / North Carolina. / published under the supervision of the trustees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / chief justice of the

supreme court of North Carolina. / vol. xxiv / laws 1777-1788 / — / Nash Brothers, / book and job printers / Goldsboro, N. C. / 1905. /

Collation: title, 1 l.; prefatory notes, iii-iv; laws, 1-994. Total, 998.

The / state records / of / North Carolina. / published under the supervision of the trustees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / chief justice of the supreme court of North Carolina. / vol. xxv / laws 1789-1790 / and supplement / omitted laws 1669-1783. / — / with index / to / vols. xxiii, xxiv and xxv. / — / Nash Brothers, / book and job printers, / Goldsboro, N. C. / 1906. /

Collation: title, 1 l.; prefatory notes, iii-vi; laws, 1-519+519a-519f+520-525; captions, 526-645; index by Stephen B. Weeks, 647-741. Total, 753.

The / state records / of / North Carolina. / published under the supervision of the trustees of the public libraries, by order / of the General Assembly. / collected and edited / by / Walter Clark, / chief justice of the supreme court of N. C. / — / vol. xxvi. / census 1790. / — / names of heads of families. / — / Nash Brothers. / book and job printers, / Goldsboro, N. C. / 1905. /

Collation: title, 1 l.; prefatory notes, iii-iv; index to census by Stephen B. Weeks, 1-239+239a-239c; census, 239-1313. Total, 1321.

Index / to the / Colonial and State Records / of / North Carolina, / covering volumes i-xxv. / published under the supervision of the trustees of the public libraries, by order / of the General Assembly. / — / compiled and edited / by / Stephen B. Weeks. / volume i. / A-E / — / Goldsboro, N. C. / Nash Bros., book and commercial printers. / 1909. /

Collation: title, 1 l.; pref., 1 l.; Index, A-E, 1-619. Total, 623.

Labeled on back as Colonial and State Records of North Carolina, vol. xxvii (corrected from xxviii).

Index / to the / Colonial and State Records / of / North Carolina, / covering volumes i-xxv. / published under the supervision of the trustees of the public libraries, by order / of the General Assembly. / — / compiled and edited / by / Stephen B. Weeks. / volume ii. / F-L / — / Charlotte, N. C. / The Observer Printing House, Inc., Manufacturing Printers / 1910 /

Collation: title, 1 l.; Index, F-L, 1-513. Total, 515.

Labeled on back as vol. xxviii (corrected from xxix).

Index / to the / Colonial and State Records / of / North Carolina, / covering volumes i-xxv. / published under the supervision of the trustees of the public libraries, by order / of the General Assembly. / — / compiled and edited / by / Stephen B. Weeks. / volume iii. / M-R / — / Charlotte, N. C. / The Observer Printing House, Inc., Manufacturing Printers / 1911 /

Collation: title, 1 l.; Index, M-R, 1-480. Total, 482.

Labeled on back as vol. xxix.

Index / to the / Colonial and State Records / of / North Carolina, / covering volumes i-xxv. / published under the supervision of the trustees of the public libraries, by order / of the General Assembly. / — / with an / Historical Review / compiled and edited / by / Stephen B. Weeks. / volume iv. / S-Z / — / Raleigh / E. M. Uzzell & Co., Printers and Binders / 1914 /

Collation: t., 1 l.; pref., iii-vi; Index, S-Z, 1-439+(1). Historical Review, t., 1 l.; conts., iii-vii; text, 1-169. Total, 622.

Labeled on back as vol. xxx.



Total number of pages in 10 volumes of Colonial Records (1 unpag- folding table) .....	10,982
Total number of pages in 16 volumes of State Records (2 unpag- ed maps) .....	15,616
Total number of pages in 4 volumes of Index.....	2,242
Divided as to character of materials as follows:	
1. Preliminary pages and prefatory notes to Colonial Records.....	359
Same for State Records.....	136
Same for Index .....	190
Total preliminary and prefatory material.....	685
2. Colonial material, 1629-1776:	
In Colonial Records.....	10,623
In State Records, vol. 11.....	305
In State Records, vol. 22, miscellaneous, about.....	338
In State Records, vol. 23, laws.....	976
In State Records, vol. 25, laws.....	409
Total colonial material printed.....	12,651
3. State material, 1776-1790:	
In State Records, about .....	12,994
4. Captions and Indexes:	
Captions to Laws, 1669-1790, vol. 25.....	121
Index to Laws, 1669-1790 (included in the general Index), vol. 25..	95
Index to Census, 1790, vol. 26 (not included in general Index)....	242
Index to Colonial and State Records, vols. 1 to 25, in 4 vols.....	2,052
Total Captions and Indexes.....	2,510
Total pages in the 30 volumes of Colonial and State Records and In- dexes .....	28,840

The bibliographer will be interested to know also that the Prefatory Notes to the Colonial Series were reprinted (not published) separately as follows:

Prefatory notes / to the / Colonial Records / of / North Carolina / by / William L. Saunders / secretary of state / vols. 1 to 10 / Raleigh / Josephus Daniels, printer to the state / 1887 /

Collation: Q (29 x 19 cm.). title, c. on v., 1 l.: 1 l. blank; pref., 3-8; prefatory notes, 9-357. The original pagination in roman letters, not consecutive, is retained at the top; consecutive arabic numerals are given at the bottom, except to the notes from vols. 5, 6, 7, 8, pp. 95 to 272 inclusive, numerals begin again with the notes to vol. 9, p. 273, and run to the end. There seems to have been no change in the text.

The Prefatory Notes to the State Records were not reprinted.

The Historical Review of the series, printed at the end of volume 4 of the Index, was reprinted without change of title or pagination in an edition of 100 copies.

## II. ANALYSIS OF THE MATERIALS PRINTED.

It is not to be presumed that the average man will use these Records to while away minutes that might otherwise hang heavy on his hands. They are not intended to take the place of light reading and will never be rivals of the works of the masters of romance; they must always have serious attention, and yet the casual student, even the man in the street if he be serious minded for the time, may find much material of infinitely more interest than mere fiction, and by following out a few main topics may get a fair idea of a given period. Should such a reader desire, for instance, to trace out the leading events in the seventeenth century colony of Albemarle, let him follow out with patience the main references under George Durant, the Proprietors and their Fundamental Constitutions, John Culpepper and the Culpepper Rebellion, Seth Sothel and his impeachment, and he will begin to understand why the people of Albemarle were always restless under any government imposed from without and soon won for themselves the reputation of being the freest of the free.

In the same way, if he is interested in the early eighteenth century the titles Cary Rebellion, Tuscarora War, surrender of Carolina and the names of Edward Moseley and George Burrington will give him a good idea of the gradual growth of that political liberty which broadens down from precedent to precedent.

During the period of royal rule he will find the struggle against prestige and power carried on in some of its phases under such headings as Land patents, Quit rents, Taxes, the quarrel of the northern counties over Representation, the French and Indian war, and in those forerunners of the Revolution, the Stamp Act and the Regulation.

Indeed, almost every page of these volumes bristles with the doctrine of political liberty, and notwithstanding the fact that the eighteenth century was one full of political philosophy, the careful student will note that just as evolution proceeded at a more rapid rate among the Greek colonists of Magna Græcia than it did in the mother cities, so English liberty had its first great unfolding in the American colonies and not in the British Isles.

As each fact and each name is entered in detail in this Index under its own proper heading and also under the general heading to which it belongs, it is not thought desirable to do more than call attention to some of the broader fields or classes of materials here printed according to the phases of historical knowledge which they mainly represent.

## A. ORGANIC LAW.

As might naturally be expected, these materials deal most of all with the governmental and political functions of life. The early settlers of Carolina went into the wilderness perhaps mainly for economic reasons. But wealth was to be obtained by deeds, not words; hence the economic life of the colony has to be built up from fragments just as scientists have restored the plesiosaurus and the ichthyosaurus from a few scattered bones. But along with the economic motive was another hardly less dominant. This was the growing feeling for constitutional and personal liberty, and in this respect hardly more could be asked by the student than is here given. The contributions to the organic law include:

Heath's Patent of 1629, I. 5.

The Charters of 1663 and 1665, I. 20 and 102.

The Declaration and Proposals of the Proprietors in 1663 and their Agreement of 1665, I. 75 and 93.

The Great Deed of Grant which was regarded by the colonists for three-quarters of a century as the very palladium of their liberties, III. 292.

The Fundamental Constitutions of John Locke:

First edition in 1669, I. 181 and XXV. 123.

Last edition in 1698, II. 852.

The sale of seven-eighths of Carolina to the King in 1728-29, II. 384.

The grant of one-eighth of Carolina to Lord John Carteret in 1744, IV. 655.

Instructions to the proprietary and royal governors, 1663-1775, vols. I to X.

State Constitution of 1776, X. 1006 and XXIII. 980.

Constitution of the State of Franklin, the abortive daughter of North Carolina, 1784-88, XXII. 661.

To this list may be properly added Governor Tryon's Polity of North Carolina, VII. 472, the best contemporaneous discussion of the actual government of the colony.

## B. STATUTE LAW.

The whole body of the statute law of the colony and state, so far as it has been preserved or is available, 1669-1790, including the Revisal of 1715 now printed for the first time, is found in volumes XXIII, XXIV and XXV.



To this edition of the session laws and first revision is added a chronological list of Captions of North Carolina laws, 1669-1790, with page references to the particular volumes and a separate Index for the three volumes of laws.

### C. JOURNALS OF THE ASSEMBLY, ETC.

Perhaps the most important of any one class of documents are the various papers dealing with the legislative body, whether called Minutes, Proceedings, or Journals. These include:

- a. Journals of the Governor's Council.
- b. Journals of the Assembly proper, both upper and lower houses in colonial times.
- c. Journals of the two Provincial Conventions, 1774-75.
- d. Journals of the three Provincial Congresses, 1775-76.
- e. Journals of the senate and house of Assembly of the free state of North Carolina, 1777-90.
- f. Journals of the Conventions of 1788 and 1789 which discussed and adopted the Federal Constitution.
- g. Various extracts from the laws and legislative proceedings of Virginia, South Carolina, Transylvania, and Franklin which concern North Carolina.

A detailed chronological list of the North Carolina material here printed is added for the convenience of the investigator:

#### a. JOURNALS OF THE GOVERNOR'S COUNCIL:

In the early days the Council was made up of the deputies of the Lords Proprietors, who served as advisers to the governor. With the induction of Burrington into office, January 15, 1723-24, these advisers ceased to be called deputies, and were styled simply "Members of the council." They rendered a twofold service, first as advisers to the governor, and second, during the sitting of the legislature, as an upper house. Their proceedings in the latter capacity will be found under the head of Journals of the Assembly proper.

#### DEPUTIES:

May 9, 1712, **1.** 841-44.  
 June 2, 1712, **1.** 851-2.  
 July 4, 1712, **1.** 855-7.  
 July 31, 1712, **1.** 864-6.  
 Aug. 9, 1712, **1.** 867.  
 Sept. 12, 1712, **1.** 869-72.  
 Jan. 17, 1712/13, **2.** 1-3.

Apr. 14, 1713, **2.** 32-5.  
 May 8, 1713, **2.** 41-4.  
 June 25, 1713, **2.** 51-2.  
 Aug. 7, 1713, **2.** 55-7.  
 Aug. 19, 1713, **2.** 58-9.  
 Oct. 22, 1713, **2.** 64-5.  
 Nov. 4, 1713, **2.** 65-9.  
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 May 28, 1714, **2.** 129-30.  
 Aug. 10, 1714, **2.** 139-42.  
 Nov. 6, 1714, **2.** 146-7.  
 Dec. 17, 1714, **2.** 147.  
 Feb. 11, 1714/15, **2.** 168-70.  
 Mar. 10, 1715, **2.** 170-3.  
 May 25, 1715, **2.** 180-1.  
 June 7, 1715, **2.** 181-2.  
 July 5, 1715, **2.** 182-4.  
 Sept. 13, 1715, **2.** 199-200.  
 Nov. 4, 1715, **2.** 204-5.  
 Jan. 21, 1715/16, **2.** 216-18.  
 Mar. 29, 1716, **2.** 226-7.  
 Aug. 3-4, 1716, **2.** 239-44.  
 Aug. 23, 1716, **2.** 246-7.  
 Nov. 15, 1716, **2.** 249-50.  
 Mar. 28, 1717, **2.** 275.  
 June 4, 1717, **2.** 282-3.  
 Aug. 1, 1717, **2.** 289-91.  
 Nov. 22, 1717, **2.** 296-7.  
 Mar. 29, 1718, **2.** 301-3.  
 July 31, 1718, **2.** 307-9.  
 Oct. 30, 1718, **2.** 311-13.  
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 Nov. 10, 1719, **2.** 351-7.  
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 Apr. 4, 1720, **2.** 377-80.  
 Aug. 4, 1720, **2.** 389-92.  
 Dec. 3, 1720, **2.** 396-8.  
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 Oct. 18, 1721, **2.** 432.  
 Mar. 30, 1722, **2.** 449-50.  
 Apr. 4, 1722, **2.** 450-7.  
 June 14, 1722, **2.** 457-8.  
 Aug. 8, 1722, **2.** 459.  
 Sept. 7, 1722, **2.** 459-60.  
 Oct. 22, 1722, **2.** 460-2.  
 Oct. 29, 1722, **2.** 462-3.  
 Apr. 5, 1722, **2.** 472-3.  
 Mar. 28, 1723, **2.** 482-5.  
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Jan. 22-23, 1723/24, **2.** 516-18.  
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 Oct. 28-31, 1724, **2.** 535-41.  
 Nov. 7, 1724, **2.** 541-42.  
 Apr. 3, 1725, **2.** 562-5.  
 May 28, 1725, **2.** 565-6.  
 July 17, 1725, **2.** 566-8.  
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 July 29, 1725, **2.** 568-9.  
 Aug. 3, 1725, **2.** 569-70.  
 Aug. 24, 1725, **2.** 570-1.  
 Oct. 5, 1725, **2.** 571-2.  
 Oct. 28, 1725, **2.** 572-3.  
 Oct. 31, 1725, **2.** 573-5.  
 Jan. 19, 1726, **2.** 603-4.  
 Mar. 31-Apr. 14, 1726, **2.** 606-8.  
 July 28-Nov. 1, 1726, **2.** 637-45.  
 Apr. 3-Nov. 8, 1727, **2.** 673-83.  
 Feb. 21, 1728, **2.** 724-5.  
 Apr. 28, 1728, **2.** 730-49.  
 May 27, 1728, **2.** 764-8.  
 Aug. 5, 1728, **2.** 770-3.  
 Nov. 3, 1728, **2.** 817-18.  
 May 22, 1731, **3.** 168-75.  
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 Jan. 15-Dec. 16, 1735, **4.** 31-75.  
 Feb. 17-Oct. 14, 1736, **4.** 216-25.  
 Mar. 1-Nov. 21, 1737, **4.** 271-84.  
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 Feb. 20-Mar. 23, 1739, **4.** 342-355.  
 Feb. 5-Aug. 24, 1740, **4.** 439-62.  
 Mar. 6-Oct. 2, 1741, **4.** 587-603.  
 May 4-7, 1742, **4.** 615-620.  
 Mar. 15-Nov. 18, 1743, **4.** 625-651.  
 Feb. 25-Dec. 4, 1744, **4.** 674-714.  
 Apr. 4-20, 1745, **4.** 759-770.  
 Mar. 12-June 28, 1746, **4.** 798-814.  
 Mar. 5-24, 1747, **4.** 850-55.  
 Mar. 25-Oct. 15, 1748, **4.** 884-98.

Apr. 3-Oct. 18, 1749, **4.** 945-971.  
 Mar. 28-Oct. 2, 1750, **4.** 1032-51.  
 Mar. 26-Oct. 12, 1751, **4.** 1237-55.  
 Feb. 1-Nov. 17, 1753, **5.** 29-38.  
 Feb. 19-Sept. 27, 1754, **5.** 172-177.  
 Mar. 25-Oct. 13, 1755, **5.** 488-494.  
 Mar. 12-Oct. 23, 1756, **5.** 653-57.  
 May 17-Dec. 15, 1757, **5.** 810-29.  
 Mar. 8-Dec. 23, 1758, **5.** 990-98.  
 Mar. 1-Dec. 22, 1759, **6.** 75-85.  
 Jan. 2-Dec. 6, 1760, **6.** 330-345.  
 Feb. 7-Dec. 8, 1761, **6.** 628-38.  
 Apr. 13-Dec. 31, 1762, **6.** 758-799.  
 Jan. 1-Dec. 24, 1763, **6.** 1007-1020.  
 Feb. 2-Nov. 28, 1764, **6.** 1064-89.  
 Jan. 25, 1765, **6.** 1322.  
 May 17-18, 1765, **7.** 37-9.  
 Apr. 3, 1765, **7.** 105.  
 Oct. 24-30, 1765, **7.** 118-120.  
 Dec. 20-21, 1765, **7.** 133-134.  
 June — 28, 1766, **7.** 225-32.  
 Nov. 3-Dec. 1, 1766, **7.** 271-79.  
 Apr. 22-24, 1767, **7.** 449-54.  
 July 11-12, 1767, **7.** 501-506.  
 Oct. 14-27, 1767, **7.** 523-29.  
 Dec. 14, 1767, **7.** 532-35.  
 Jan. 13-15, 1768, **7.** 672-76.  
 Mar. 1, 1768, **7.** 690.  
 Mar. 29, 1768, **7.** 702.  
 Apr. 27, 1768, **7.** 720-22.  
 Apr. 29, 1768, **7.** 729-30.  
 June 20, 1768, **7.** 792-94.  
 Oct. 1, 1768, **7.** 850-1.  
 Nov. 24, 1768, **7.** 870-1.  
 Nov. 29, 1768, **7.** 872-74.  
 Dec. 5, 1768, **7.** 875-6.  
 Dec. 23, 1768, **7.** 883-4.  
 Apr. 14, 1769, **8.** 25-7.  
 May 4-6, 1769, **8.** 36-8.  
 Nov. 4-10, 1769, **8.** 148-50.  
 Dec. 15-18, 1769, **8.** 160-164.  
 Apr. 9, 1770, **8.** 191-93.  
 May 12, 1770, **8.** 199-201.  
 Oct. 16-18, 1770, **8.** 249-55.  
 Nov. 19, 1770, **8.** 258-60.  
 Dec. 4, 1770, **8.** 262.  
 Dec. 20, 1770, **8.** 268-70.  
 Dec. 31, 1770, **8.** 272.  
 Jan. 2-12, 1771, **8.** 480-1.  
 Jan. 19-28, 1771, **8.** 490-3.  
 Feb. 7, 1771, **8.** 497-8.

Feb. 23-27, 1771, **8.** 499-502.  
 Mar. 18-19, 1771, **8.** 536-40.  
 Apr. 17-19, 1771, **8.** 549-51.  
 June 29, 1771, **8.** 623-26.  
 July 1, 1771, **9.** 3-4.  
 Aug. 12, 1771, **9.** 15-16.  
 Aug. 23, 1771, **9.** 24.  
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 Nov. 18, 1771, **9.** 52-3.  
 Nov. 21-27, 1771, **9.** 55-7.  
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 Mar. 9-Dec. 22, 1773, **9.** 594-6, 601-7.  
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 Mar. 28-Oct. 8, 1774, **9.** 954-5, 981-3.  
 1018-20, 1027-30, 1041, 1078-9.  
 Mar. 6-July 18, 1775, **9.** 1144-46.  
 1168-9, 1177-8, 1207, 1211, 1215-16.  
 1221, 1229, **10.** 106-7.

*b.* JOURNALS OF THE ASSEMBLY, UPPER AND LOWER HOUSES, DOWN TO 1776:

Nov. 17, 1715-Jan. 19, 1716: Both houses, **3.** 180-189.  
 Oct. 2-29, 1722: Both houses, **2.** 462-3.  
 Apr. 2-17, 1724: House, **2.** 528-9.  
 Nov. 1-2, 1725: House, **2.** 275-8.  
 Apr. 5-13, 1726: House, **2.** 608-24.  
 Nov., 1729: Both houses, **3.** 175-9.  
 Apr. 13-May 17, 1731:  
     Council, **3.** 257-84.  
     House, **3.** 285-325.  
 July 3-18, 1733:  
     Council, **3.** 540-61.  
     House, **3.** 561-611.  
 Nov. 3-8, 1733: House, **3.** 612-22.  
 Nov. 6-13, 1734: House, **3.** 634-43.  
 Jan. 15-Mar. 1, 1735:  
     Council, **4.** 75-114.  
     House, **4.** 115-155.  
 Sept. 21-Oct. 12, 1736: Council, **4.** 225-241.  
 Feb. 6-Mar. 6, 1739:  
     Council, **4.** 355-379.  
     House, **4.** 382-408.



- Mar. 7-8, 1739:  
Council, **4.** 380-2.  
House, **4.** 408-414.
- Nov. 15, 1739: House, **4.** 414.
- Feb. 5-27, 1740:  
Council, **4.** 470-92.  
House, **4.** 492-534.
- July 31-Aug. 22, 1740:  
Council, **4.** 534-51.  
House, **4.** 552-75.
- Sept. 21, 1741: Council, **4.** 597.
- July 20-27, 1743: House, **4.** 651-55.
- Feb. 23-Mar. 8, 1744:  
Council, **4.** 714-719.  
House, **4.** 719-32.
- Nov. 15-Dec. 4, 1744: House, **4.** 732-52.
- Apr. 8-20, 1745: House, **4.** 770-91.
- June 12-28, 1746: House, **4.** 814-34.
- Nov. 20-Dec. 6, 1746:  
Council, **4.** 834-38.  
House, **4.** 838-43.
- Feb. 25-Nov. 7, 1747: House, **4.** 855-62.
- Oct. 2-10, 1747: House, **4.** 863-68.
- Mar. 18-Apr. 6, 1748: Council, **4.** 898-917.
- Mar. 31-Apr. 14, 1749:  
Council, **4.** 971.  
House, **4.** 984-999.
- Sept. 26-Oct. 18, 1749:  
Council, **4.** 1000-1010.  
House, **4.** 1010-1027.
- Mar. 28-Apr. 9, 1750: Council, **4.** 1051-64.
- July 5-10, 1750:  
Council, **4.** 1064-68.  
House, **4.** 1068-73.
- Sept. 24-Oct. 12, 1751:  
Council, **4.** 1256-74.  
House, **4.** 1274-1300.
- Mar. 31-Apr. 15, 1752:  
Council, **4.** 1317-29.  
House, **4.** 1329-48.
- Mar. 28-Apr. 12, 1753:  
Council, **5.** 38-53.  
House, **5.** 23-4, 53-77.
- Feb. 19-Mar. 9, 1754:  
Council, **5.** 177-191.  
House, **5.** 191-212.
- Dec. 12-Jan. 15, 1754-55:  
Council, **5.** 212-231, 262-281.  
House, **5.** 231-262, 281-312.
- Sept. 25-Oct. 15, 1755:  
Council, **5.** 495-520.  
House, **5.** 520-559.
- Sept. 30-Oct. 26, 1756:  
Council, **5.** 658-688.  
House, **5.** 688-738.
- May 16-28, 1757:  
Council, **5.** 829-43.  
House, **5.** 843-68.
- Nov. 21-Dec. 14, 1757:  
Council, **5.** 793-805, 868-89.  
House, **5.** 889-925.
- Apr. 28-May 4, 1758: House, **5.** 998-1012.
- Nov. 23-Dec. 23, 1758:  
Council, **5.** 965-986, 1012-1039.  
House, **5.** 1039-1101.
- May 8-18, 1759:  
Council, **6.** 85-95.  
House, **6.** 95-114.
- Nov. 23-Dec. 31, 1759, Jan. 1-9, 1760:  
Council, **6.** 115-132, 172-184.  
House, **6.** 132-71, 184-200, 200-15.
- Apr. 24-May 23, 1760:  
Council, **6.** 345-62.  
House, **6.** 362-420.
- May 26-27, 1760:  
Council, **6.** 420-27.  
House, **6.** 427-38.
- June 30-July 14, 1760: Council, **6.** 438-46.
- Nov. 5-Dec. 3, 1760:  
Council, **6.** 446-69.  
House, **6.** 469-511.
- Dec. 5-6, 1760:  
Council, **6.** 511-13.  
House, **6.** 513-20.
- Mar. 31-Apr. 23, 1761:  
Council, **6.** 638-661.  
House, **6.** 661-697.
- Apr. 13-29, 1762: House, **6.** 800-837.
- Nov. 3-Dec. 11, 1762:  
Council, **6.** 838-892.  
House, **6.** 738-744, 893-965.
- Feb. 3-Mar. 10, 1764:  
Council, **6.** 1089-1150.  
House, **6.** 1150-1218.

Oct. 25-Nov. 28, 1764:

Council, **6.** 1218-57.

House, **6.** 1257-1318.

May 3-18, 1765:

Council, **7.** 41-61.

House, **7.** 61-88.

Nov. 3-Dec. 2, 1766:

Council, **7.** 292-341.

House, **7.** 342-423.

Dec. 5-31, 1767; Jan. 1-15, 1768:

Council, **7.** 549-65, 595-624.

House, **7.** 565-594, 624-670.

Nov. 7-Dec. 7, 1768:

Council, **7.** 890-924.

House, **7.** 924-86.

Oct. 23-Nov. 6, 1769:

Council, **8.** 86-105.

House, **8.** 105-148.

Dec. 5, 1770-Jan. 26, 1771:

Council, **8.** 282-302, 347-384.

House, **8.** 302-346, 385-479, 479a, 479b.

Nov. 19-Dec. 23, 1771:

Council, **9.** 101-136.

House, **9.** 136-226.

Jan. 25-Mar. 6, 1773:

Council, **9.** 376-447.

House, **9.** 447-591.

Dec. 4-21, 1773:

Council, **9.** 706-733.

House, **9.** 733-788.

Mar. 2-25, 1774:

Council, **9.** 831-874.

House, **9.** 874-953.

Apr. 2, 1775: Council, **9.** 1177-8.

Apr. 4-8, 1775: House, **9.** 1178-1205.

c. PROVINCIAL CONVENTIONS, 1774-1775:

Newbern, Aug. 25-27, 1774: **9.** 1041-49.

Newbern, Apr. 3-7, 1775: **9.** 1178-85.

d. PROVINCIAL CONGRESSES, 1775-1776:

Hillsboro. Aug. 20-Sept. 10, 1775: **10.** 164-220.

Halifax, Apr. 4-May 14, 1776: **10.** 499-590.

Halifax, Nov. 12-Dec. 23, 1776: **10.** 913-1013.

e. JOURNALS OF STATE LEGISLATURE, 1777-1790:

Apr. 7-May 9, 1777: Senate, **12.** 1-113.

Nov. 15-Dec. 24, 1777:

Senate, **12.** 114-264.

House, **12.** 265-452.

Apr. 14-May 2, 1778:

Senate, **12.** 549-654.

House, **12.** 655-764; **13.** 399-401.

Aug. 8-19, 1778:

Senate, **12.** 764-815.

House, **12.** 816-880.

Jan. 19-Feb. 13, 1779:

Senate, **13.** 532-624.

House, **13.** 625-734+734a-734o.

May 3-15, 1779:

Senate, **13.** 735-783.

House, **13.** 784-824; **18.** 803-825.

Oct. 18-Nov. 10 (by error stated as 20 on p. 990), 1779:

Senate, **13.** 825-912.

House, **13.** 913-1000.

Jan. 27-Feb. 14, 1781 (Halifax):

Senate, **17.** 635-714.

House, **17.** 715-793.

June 23-July 14, 1781 (Wake C. H.):

Senate, **17.** 794-876 (part of proceedings of July 14 lost).

House, **17.** 877-978.

Apr. 15-May 18, 1782 (Hillsboro):

Senate, **19.** 1-128.

House, **16.** 1-177.

Apr. 18-May 17, 1783 (Hillsboro):

Senate, **19.** 129-232.

House, **19.** 233-399.

Apr. 19 (?) - June 3, 1784: House.

**19.** 489-716 (first page missing).

Oct. 22-Nov. 26, 1784 (Newbern):

Senate, **19.** 400-488 (commences Oct. 25).

House, **19.** 717-836.

Nov. 19-Dec. 29, 1785 (Newbern):

Senate, **20.** 1-117.

House, **17.** 264-426.

Nov. 18, 1786-Jan. 6, 1787 (Fayetteville):

Senate, **18.** 1-225 (Senate convened Nov. 20, missing from Jan. 4 on).

House, **18.** 226-486.

Nov. 19-Dec. 22, 1787 (Tarboro) :  
Senate, **20**. 301-474 (incomplete;  
lost after Dec. 21).

House, **20**. 119-300.

Nov. 3-Dec. 6, 1788 (Fayetteville) :

Senate, **20**. 475-599; **22**. 54.

House, **21**. 1-192.

Nov. 2-Dec. 22, 1789 (Fayetteville) :

Senate, **21**. 577-728 (proceedings

Nov. 2, 3, and 4 missing).

House, **21**. 193-436.

Nov. 1-Dec. 15, 1790 (Fayetteville) :

Senate, **21**. 729-870.

House, **21**. 871-1083 (incomplete).

*f.* JOURNALS OF FEDERAL CONVENTIONS :

Convention of 1788: **22**. 1-35.

Convention of 1789: **22**. 36-53.

#### D. EXECUTIVE AND JUDICIAL RECORDS.

Of executive records, corresponding to modern government reports, the supply varies both in quality and quantity from time to time.

For the colonial period this class of documents is represented almost solely by the letters which the governors sent to the authorities at home. Not until the days of Burrington do these letters become numerous and important. But that worthy was possessed of a quick and discerning eye, a scintillating wit, a choleric temper that spared none, and a ready pen that was at its best when describing the liberty loving and rebellious people over whom he was appointed to rule, for these people were "subtle and crafty to admiration," they "behaved insolently to their governors," some they imprisoned, others they drove out of the province, and "all the governors that were ever in this province lived in fear of the people (except myself) and dreaded their assemblies."

The letters and reports of Burrington, Everard, Johnston, Dobbs, and Martin come to us from the British Public Record Office and are possibly incomplete. We have been so fortunate, however, as to find the official letter books of Governor Tryon, and his official correspondence is therefore presumably complete. For the revolutionary and post-revolutionary periods we have the official correspondence—the executive letter books—of Govs. Caswell, Nash, Burke, Martin, and Johnston, but they are not in all cases complete. As all of this material is indexed under both the name of the writer and of the receiver and under the subject treated, its biographical and historical exploitation should be easy.

Another class of materials, mainly executive in character, but whose authors usurped and exercised quasi legislative and judicial powers as well, are the records of the local and county organizations which, during the transition period in 1775 and 1776, when the British organization was toppling to its ruin, styling themselves Safety Committees, stepped into the breach and administered a rude but effective justice, based not on statute law, but on the higher law—the *salus publica*—the law



of self-preservation. What these organizations were to local communities, the Provincial Council of 1775-76 and the Council of Safety of 1776 were to the State at large. Being composed of patriots and avoiding both the Scylla of anarchy and the Charybdis of tyranny, they steered the ship of state into the safe harbor of constitutional government. But in form they were at best extra legal, and no wonder the conservative Tories denounced them as mere mob rule.

When we come to consider the Judiciary, the third phase of American constitutional government, we find in the colonial period little material save the reasons given by the Board of Trade from time to time why certain laws should be disallowed. The judiciary in the American sense had not been evolved as yet. But a case came up before the North Carolina superior court in 1786 which caused the judges to take such a stand that North Carolina is placed along with New Jersey and Rhode Island as a leader in the matter of judicial review of the acts of assembly.<sup>1</sup> The facts are as follows:

In 1785 the Assembly passed an act (chap. 7) to secure and quiet in possession all persons who had purchased confiscated property under the laws of the state. The act required the courts, in all cases where the defendant made affidavit that he held the property under sale from a commissioner of confiscated property, to dismiss the suit on motion. This principle came up in the case of Bayard v. Singleton at May term, 1786, and is reported in 1 Martin, 42-48. The case drew out long constitutional arguments from both Bench and Bar, and Mr. Justice Ashe has given us his remarks on the principles involved which led him the next year, when the case came up for final consideration, to vote to refuse the motion to dismiss:

"I on my part . . . observed that at the time of our separation from Great Britain, we were thrown into a similar situation with a set of people shipwrecked and cast on a marooned island, without laws, without magistrates, without government or any legal authority. That being thus circumstanced, the people of this country with a general union of sentiment by their delegates, met in congress and formed that system or those fundamental principles comprised in the constitution, dividing the powers of government into separate and distinct branches, to wit: the legislative, the judicial, and the executive, and assigning to each several and distinct powers, and prescribing their several limits and boundaries. . . . If my opinion of our constitution is an error, I fear it is an incurable one, for I had the honor to assist in the forming it, and confess I so designed it, and I believe every other gentleman concerned did also."

<sup>1</sup>See *The Nation*, Oct. 12, 1893.

After considering the matter, the judges, Ashe, Spencer, and Williams, denied the motion to dismiss and put the case over till the next year. This refusal to immediately dismiss the case in face of the act of 1785 led to no little commotion in legal circles. Opposition to the judges was headed by John Hay, William Hooper, Archibald Maclaine, and others who undertook for this and other misdemeanors to write them off the Bench. They failed, and when the case came up in November, 1787, for final settlement the act of assembly was formally declared unconstitutional and void.

On the other hand, Iredell, who had been on the Bench and was now counsel for the plaintiff, supported the views of the judges and published a letter in the Newbern paper vindicating the judiciary. A year later he wrote a long letter to Richard Dobbs Spaight in which the subject is again reviewed.<sup>1</sup> As Iredell became an associate justice of the Supreme Court of the United States in 1790 and served till his death in 1799, it is thought his opinions may have influenced Marshall in the celebrated case of *Marbury v. Madison* in 1803, which may be counted as the beginning of that long line of Federal decisions which have resulted in making the Supreme Court of the United States, or it may be a single justice of that court, the supreme arbiter of the destinies of the Nation. Willie Jones was wise when he based his objection to the Federal Constitution on his fear of the Federal judiciary.

It is interesting to note also, that this same principle was evoked against a Federal court within a year after the state had been admitted into the Union, for in 1790 the state superior court then sitting in Edenton refused to obey a writ of *certiorari* issued by a Federal judge removing a case from the state to the Federal court, on the ground that the mandate of the Federal judge was unconstitutional. The assembly by resolution commended and approved their position.

#### E. MILITARY AFFAIRS.

On this subject, as is usually the case, material is more abundant than on many other topics. For the struggle with the Tuscaroras we have contemporaneous reports and documents, official and private, from both North Carolina and Virginia, including the Pollock and Spotswood letters, the reports of Moore and Barnwell and the illuminating narrative of DeGraffenried which explains a phase of the closing days of the war that was long a mystery, and clears the reputation of Barnwell, hitherto clouded by the jealous silence of Pollock.

<sup>1</sup>See McRee's Iredell, II. 145-149 and 172-176.

There are long lists of militia for the Spanish Alarm, and for the French and Indian war we have the correspondence of Governor Dobbs, Governor Dinwiddie of Virginia, Colonel Innes, General Waddell, and the legislative proceedings.

The Stamp Act proceedings give us many documents full of the fire of budding patriotism and make us marvel at the boldness of those leaders of the Cape Fear who, not as a headless, irresponsible mob, but after formal organization under civil authority of their own appointment, with the military subordinate to an elected directorate at whose head was the speaker of the assembly, stood with arms in their hands and demanded, and enforced their demands, that British ships of war release to them the trading vessels that had violated the stamp regulations.

In the matter of the Regulation movement much new material, including miscellaneous papers, orders, accounts, bills, receipts, etc., long preserved in the Federal archives and only recently recovered by the State, is now published for the first time. We have also the addresses of the leaders to their followers, their petition to Tryon for redress of grievances, which was often promised, but never given, Tryon's and Waddell's order books, together with long lists of the regulators who came in after the battle was over and took the oath of submission to the government.

By the irony of fate, that eternity of infamy which Lord Acton was never weary of saying it was the province of history to inflict on wrong is clearly awarded in the case of Thomas Donaldson, sheriff of Orange, who on June 19, 1771, presented his bill to the colonial government: "To Hanging 6 Men at Hillsborough Court of Oyer, etc.,—£5 each"; for by this action alone he has handed his name down to posterity and has branded himself as the associate, if not the tool, of tyrants. And equally curious is it that all research has as yet failed to give us the names of all of these six protomartyrs of American liberty! Some one has well said that that country is greatest which produces not the greatest generals and men of action, but the greatest poets and historians. Droysen defined history as the "Know thyself of mankind"; Schiller wrote "*Die Weltgeschichte ist das Weltgericht*," and Canon Freemantle expressed the same idea in English by saying, "The court of history is the final judgment of mankind." If these estimates of history are true, the heroes of the Cape Fear and the martyrs of the Alamance were not mere actors seeking worldly renown, for in that case they would not have chosen North Carolina as the scene of their activities. Had they



acted out their parts in Massachusetts, how their names and deeds would have been emblazoned on monuments and heralded throughout the Nation in poetry and song!

When we come to the period of the Revolution, besides the Stamp Act proceedings and the various papers connected with the regulation war, the proceedings of the Assembly, the committees of safety, state and local, and many separate lists of soldiers, we have Jacob Turner's Diary, giving the inside of army life and valuable for its information on the condition and management of the North Carolina troops as seen by a subordinate, XII. 453; some few extracts from the journals of Congress, the proceedings of the Board of War and of the Council Extraordinary, the Gates papers, with extracts from those of Sumner, Cornwallis, Washington, and Greene. We have also the proceedings of the governor's council, the council of state, and above all, that vivid and burning human document, the Narrative of Col. David Fanning, the Tory, XXII. 180.

#### F. REVOLUTIONARY SERVICE AND GENEALOGICAL MATERIALS.

Turning from wars and rumors of wars to closely allied subjects—to genealogical sources—we may be sure that no class of materials in these volumes will be used more industriously than those which promise information on which may be predicated admission to the patriotic societies. Lists of Revolutionary soldiers, both Continentals and militia, may be found as follows (this list was originally prepared by Mr. Marshall DeLancey Haywood and used by him in connection with his work as secretary of various patriotic societies in the state):

##### a. MILITARY SERVICE:

*Continental or Regulars.*—The most complete roster of both officers and privates of the Continental Line (not militia) of North Carolina will be found in XVI. 1002. The chief defect in this roster is that many soldiers are recorded as serving in the Tenth Regiment, who in reality belonged to other commands; hence, when a private is recorded in the Tenth, it is well to observe the name of his captain, and then be guided by the fact whether or not said captain's company was in the Tenth or some other regiment. Another valuable list of Continentals or regulars will be found on the pay list made out shortly after the War and published in XVII. 189. For fragments of Continental rosters consult also X. 517, 520, 619-626, 936, 943, 965; XIII. 504; XV. 718, 749; XVI. 575.

*Militia.*—For list of field-officers of North Carolina militia who were appointed on September 9, 1775, see X. 204. For list of field-officers of militia who were appointed on April 22, 1776, see X. 530. For fragments of militia rosters, see X. 99-100, 320, 680 (inserted folder), 753-754; XV. 739-740; XVII. 1042, 1054.

*Pension Rolls.*—In XXII. 55-159, will also be found some pension records.

b. CIVIL SERVICES:

*Provincial Congresses, Legislatures, Etc.*—For list of persons serving the State of North Carolina in legislative and other civil capacities from various counties—together with the nine “borough towns” of Bath, Edenton, Brunswick, Wilmington, Newbern, Halifax, Hillsborough, Salisbury, and Campbellton (now Fayetteville)—see as follows:

Members of the Provincial Convention which met at Newbern on August 25, 1774, IX. 1042; members of the Provincial Convention which met at Newbern on April 3, 1775, IX. 1178; members of the Provincial Congress which met at Hillsborough on August 20, 1775, X. 164; members of the Provincial Council and Committees of Safety (not including county committees) elected on September 9, 1775, X. 214-215; members of the Provincial Congress which met at Halifax on April 4, 1776, X. 500; members of the State Committee appointed to procure arms and ammunition for the Continental Army on April 19, 1776, X. 524; members of the Provincial Congress which met at Halifax on November 12, 1776, X. 913.

State senators and members of the house of commons of North Carolina during the Revolution are recorded by counties in Wheeler's History of North Carolina at the end of the sketch of each county. They are also given in the State Records. A search in the latter, while more tedious, is likely to be more accurate.

c. GENEALOGY.

These Records have already become the great thesaurus for North Carolina genealogy. As there has been little migration into the State since the Revolution, it is safe to say that there is hardly a citizen of the State to-day who will not find recorded somewhere within their pages the names of some of his ancestors. On the other hand, as many of her citizens in the last century—beginning before the Revolution, in fact—sought better economic and social conditions in the newer states, North Carolina is in a very literal and real sense the *vagina gentium* for the

newer states of the old South and Southwest and for what is now the Middle West. Almost every page of these records contains original materials of value to every genealogist in the Southern half of the Union, and as every name is indexed, there should be no difficulty in following the career of any particular individual.

When lists of names are desired, they may be found in various lists of grand and petit jurors (especially in XXV. 185), vestrymen, names of parties brought in as headrights to secure land patents, vols. I, II, and XXIII, and in lists of members of assembly in nearly every volume; in volumes IV, V, and VI come lists of persons asking or receiving land grants and justices of the peace. Volume XXII is particularly rich in such lists. It includes a valuable and hitherto unknown list of citizens who were in arrears with their quit rents, 1729-32; many lists of the colonial militia, 1745-1766, covering practically all the province, pp. 261-399, and including those called out for the Spanish Alarm of 1747-1748; lists of public claimants for the same period, pp. 815-866, and muster rolls of a part of the colonial troops who saw service against the Regulators, pp. 408-500, while volumes VII and VIII give long lists of the Regulators themselves who came in after the battle, took the oath of submission, and then "like the mammoth shook the bolt from their brow and crossed the mountains" to begin the settlement of Tennessee, thus born in what seemed for the time to be the death throes of liberty in the mother colony, VII. 733-737, 808-809, 867, 875, and VIII. 78-80a, 274-275. The Laws printed in volumes XXIII, XXIV, and XXV contain many personal names and represent material of the very highest authority, and volume XXII has some lists of citizens of the Western Country (Tennessee) in 1784-88, pp. 701-703, 707-714. But unquestionably the most important of all these lists of names is the Federal Census for 1790, in volume XXVI, here printed for the first time. This list gives the names of all heads of families by counties, the number of free persons and of slaves in each family. It has its own special Index, in the same volume, pp. 1-239c, which is not contained in the four-volume Index here completed. This census volume may by itself be almost characterized as the Doom's Day Book of North Carolina. It is the first inventory we have of all the free inhabitants of the free State of North Carolina.

#### G. MISCELLANEOUS.

The scientific student has perhaps already remarked that in character the original materials here reviewed pertain almost entirely to the



political phases of life. He is naturally interested to know what materials are to be found in these volumes relating to the religious, economic, and intellectual life and to social life in the narrower sense. It is to be regretted that to these questions no satisfactory reply can be given. The materials for some phases of social history in the broad sense and for culture history in particular are not superabundant. Not that they are altogether nonexistent, but they are as yet largely inaccessible and hence unavailable.

The documents dealing with the religious life of the colony here printed are relatively few. Most of what we have deal with the Church of England in North Carolina and include most of the laws passed by the colonial assembly for the aid and support of that church; but it is necessary for us to recall that many duties then performed by church wardens are now performed by civil officers. To these laws must be added the very important reports and letters to the Society for the Propagation of the Gospel by missionaries in the province and by the royal governors. Besides these, a few extracts from the vestry book of St. Paul's Church, Edenton, have been printed for the earliest period. On the beginnings of the dissenting churches almost nothing has been printed. This little includes a few early Quaker records and a very few extracts from journals of traveling Friends and Moravians, and when to this meager list we add a few reprints from modern secondary authorities like Benedict for the Baptists, Bernheim and Welker for the German Lutheran churches, Foote for the Presbyterians, and Reichel for the Moravians, the story of religious materials has been told. As a matter of fact, this meager list doubtless represents nearly the sum of the religious sources for the province except for the Quakers and Moravians and a relatively small amount for the Baptists and Methodists. The importance of such of this as was known at the time of the completion of its period seems not to have been appreciated.

For the great and neglected branches of social history like (a) economic development as shown in the condition of agriculture, the clearing of lands and building of roads, taxes, slavery, money and currency, trade and commerce, industrial arts, local manufactures, houses, transportation, labor, free as well as slave; (b) for the intellectual life as shown in the organization of schools, the printing press and the publication of newspapers, the presence of books and libraries, and for (c) social life in the narrower sense, like amusements, social intercourse, parties, dinings, manners and customs, morals, dress, personal adornments, etc., for all these and similar phases of colonial and early state

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life, there is unfortunately relatively little material in the Records, and the little that is there has to be painfully separated from the masses of other unrelated materials. It is not yet possible for the social historian in the broadest and best sense of that term to do satisfactory work in the colonial period of North Carolina. Much material suitable and necessary for him is in existence, but is still hidden away in dusty, unused and neglected records in the county courthouses. When these county records have been carefully calendared and the calendars published as the complement of the present series it will then be possible to write the Social History of Colonial North Carolina, and not till then. This should be one of the goals towards which those in authority in the State should now set their standard.

## CHAPTER III.

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### SOURCES STILL UNCOLLECTED.

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Considering the great mass of material hitherto unpublished which is presented to the student for the first time in the Colonial and State Records, the question naturally arises if there may yet be other material of the same general character still awaiting discovery and exploitation. It does not require a long use of the Records as printed to discover that such material has existed. Does it still exist, and if so, may it yet be found?

It is probable that much new material will still be found in England, although the search among the papers of the British Public Record offices was done by Mr. W. Noel Sainsbury, who had had experience in similar work through a long period of years prior to his employment by the state of North Carolina. Then he was directed by Judge Clark to cover the field again and to make his work so exhaustive as to remove the necessity of any further examination. The results of this second examination may be seen in Volume XI. And yet documents missed by him have been found already. The interesting letter of William Gale, printed in XXII. 732, is an example; the very valuable Quit Rent Roll, 1729-35, printed in XXII. 240, is another. The conclusion from this experience is that the records as printed are by no means so complete as to make us indifferent to the value of what we may yet find. In the last few years the materials in the B. P. R. O. have been overhauled and rearranged, with the natural result that many documents which were inaccessible or unknown in the past have now come to light. Working under handicaps as he did, no just criticism can be made on Mr. Sainsbury for his failure to find these documents, much less on the North Carolina editors.

The progress in archival work in the United States in the last fifteen years has been even more marked than in England, and much documentary material of the Revolutionary period then unlocated and forgotten is now at the command of students. It must be remembered also that the great mass of transcripts from British sources now in the Library of Congress have all been made in the last ten years, and within that time have been published all of the Guides issued by the Carnegie In-



stitution. The aids now available to the student were not in existence when the material in this series was compiled, and its editors, without guides, without chart or compass in the wilderness of North Carolina history, deserve the highest praise for the work they were able to accomplish. For him who would now supplement their labors they have already made smooth the way.

In the following pages I shall undertake merely to suggest the various classes of documents in which we may expect to find North Carolina materials, some of it supplementary to what has been published; some of it reaching out into other and even broader fields. The student must always bear in mind, however, that the list given here, as well as the discussion, is merely tentative and preliminary. No attempt has been made to make the examination exhaustive. There is, for instance, in the Library of Congress much material both in the form of original documents and of transcripts which as yet lacks a systematic index, and is therefore largely an unknown quantity, but my investigations have gone far enough to show the richness of the field in general and, as Confucius would say, I am content to lift one corner of the veil. It is for the future compiler and editor to enter into this harvest.

While it is likely that some of the documents mentioned below will be found to have been printed already, it is believed that the great majority of them have never as yet seen the light, and his investigations lead the compiler to the comforting conclusion that there is enough unprinted material in sight which is worthy of publication, either in full or in the form of extended calendars, to make a duplicate series of the 30 quarto volumes which are now being completed. Taken as a whole, this English material is perhaps not of as much political value as that already printed, but of sufficient importance from any standpoint to highly justify its publication.

On the other hand, the material mentioned under IV as already in North Carolina is of the highest authority and value for economic and social studies, for biography and genealogy, and is as yet practically untouched.

## I. NORTH CAROLINA MATERIALS IN ENGLISH AND FOREIGN ARCHIVES.

The recent rearrangement of the records of the British Public Record Office makes much easier an acquaintance with its contents. Students are also much helped by the labors of Professor Charles M. Andrews, who has published through the Carnegie Institution three volumes which

serve to lead the student through this great wealth of manuscript material. These volumes are his "Guide to the Manuscript Materials for the History of the United States to 1783, in the British Museum, in Minor London Archives, and in the Libraries of Oxford and Cambridge" (1908), and his "Guide to the Materials for American History to 1783, in the Public Record Office of Great Britain (vol. I, 1912, and vol. 2, in press).

With the help of these Guides, I have prepared a list of the North Carolina papers in the various British archives as they now stand, including those which have been published.<sup>1</sup> The list will be of interest to students who may wish to know of the location of the originals of the documents already printed in the Colonial Records and serve as a source from which future materials may be secured.

It is probable that most of the material under A, except as there indicated, has been printed. It is not clear how much of that under B has been printed, as the entries are not always full enough to permit identification. Most of the documents here included under C and D seem not to have been printed.

It should be noted that these lists do not profess to be exhaustive. The Guides do not attempt to cover every item. The lists here given are merely selections from materials mentioned in the Guides which I have not been able to identify with any of the documents printed in the series and which seem from their titles to throw light on the history of the State. It is evident from these lists that the materials in England, considered both as to amount and historical significance, would most amply justify the State in ordering, in the light of these lists and of the materials already published, a new and more exhaustive reëxamination of the whole field. That there is still much unpublished material in the British Archives touching North Carolina we can no longer doubt.

#### A. THE NORTH CAROLINA VOLUMES IN THE BRITISH PUBLIC RECORD OFFICE.

These volumes are now included under the Colonial Office, Class 5 (C. O. 5). Numbers, or volumes, 286-292 are Carolina, Proprietary, and Nos. 276-281 and 293-353, North Carolina, presumably now all published, may be briefly reviewed as follows:

<sup>1</sup>All those which have been transcribed for the Library of Congress are mentioned under II. B.

*Colonial Office, Class 5.*

- V. 286 (formerly Colonial Entry Book, 20). This is a minute book of the Proprietors, May 23, 1663-April, 1697.
- V. 287 (old Colonial Entry Book, 21). 1674-1685. Entry book of instructions, articles of agreement, rules for granting land, indentures, Fundamental Constitutions, Second Charter, letters, etc.
- V. 288 (old Colonial Entry Book, 22). 1682-1698. Instructions, letters, laws, minutes, accounts, and expenses, to 1687, grants of date 1697, Fundamental Constitutions of 1698, form of patent for landgrave, 1696.
- V. 289 (old Board of Trade, Carolina, Proprietary, 4). 1693-1710. Contains orders and instructions to the deputy governor of North Carolina and to others by the Proprietors, May 11, 1693, to Mar. 27, 1702. Landgraves' and Caciques' patents, etc.
- V. 290 (old B. T., Carolina, Proprietary, 5). 1710-1726. Similar documents for the period Mar., 1710, to Sept., 1725.
- V. 291 (old B. T., Carolina, Proprietary, 6). Contains Proprietors' instructions, etc., North Carolina, including commissions and instructions, 1713-1723.
- V. 292 (old B. T., Carolina, Proprietary, 7). 1708-1727. Entry book of Proprietors, Jan. 16, 1708, to July 1, 1727; with gaps from May 12, 1713, to Mar. 6, 1714, and from July 31, 1719, to Jan. 21, 1725.
- V. 276 (old B. T. Acts, list of acts, 3). List of Acts, North Carolina, 1729-1757.
- V. 278 (old B. T. Acts, list of acts, 4). *Id.* North Carolina, 1758-1759.
- V. 279 (old B. T. Acts, list of acts, 5). *Id.* North Carolina, 1761-1765.
- V. 280 (old B. T. Acts, list of acts, 6). *Id.* North Carolina, 1766-1770.
- V. 281 (old B. T. Acts, list of acts, 7). *Id.* North Carolina, 1771-1774.
- V. 293-304 (old Board of Trade, North Carolina, 8-19), 1730-1775. Original papers, letters, etc., from the governors, George Burrington to Josiah Martin.
- V. 305 (old Board of Trade, North Carolina, 23 A), 1765-1775. Drafts of letters sent.
- V. 306-307 (old America and West Indies, 592-593 and 682 in part). 1702-1783 and undated. The miscellaneous materials in these numbers seem to relate mainly to South Carolina. Memorandum on the produce and trade of the Carolinas and Bahamas. Sundry papers on Burrington's recall and a number of memorials.
- V. 308-309 (old A. W. I., 22-23). 1711-1746. Letters from the governors, Burrington and Johnston, with enclosures.
- These volumes seem to contain some letters not to be found in the Colonial Records. See Report Amer. Hist. Asso., 1908, p. 407. See also below.
- V. 310-318 (old A. W. I., 214-222), 1761-1777. Letters from the governors, Dobbs to Martin, with enclosures.
- V. 319-322 (old B. T., North Carolina, 42, 38, 40, 41). 1707-1775. Land patents and Land grants.
- See a below.
- V. 323-326 (old B. T., North Carolina, 21-24). 1730-1775. Entry books of letters.
- V. 327 (old B. T., North Carolina, 20). 1728-1753. Abstracts of letters.
- V. 328-331 (old A. W. I., 311-314). 1766-1782. Entry books, Secretary of State's entry book of in-letters.



V. 332 (old A. W. I., 434). 1768-1782. Entry book, Secretary of State's entry book of out-letters.

V. 333-341 (old B. T. Acts, North Carolina, 1; America and West Indies, 626; Board of Trade, North Carolina, 39; Board of Trade Acts, North Carolina, 2-7, 8, 9 duplicates of 338-341). 1734-1774. Acts, manuscript and printed.

See b below and Report Amer. Hist. Asso., 1908, pp. 407-8.

V. 307-309, and 342-357 (old A. W. I., 593, 22, 23 and Board of Trade, North Carolina, 24A, 25, 25A, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 36A, 37). 1731-1774. Minutes of the Council of the Assembly and of the Upper House of Assembly.

From the list of Journals in these numbers enumerated in Andrews's "Colonial Legislative Journals" in the Report of the American Historical Association for 1908, pp. 406-412, it would appear that most of their contents have been published; but by comparison with the lists printed in Chapter II it would seem that some have been overlooked. The exact status can perhaps be ascertained only by a careful comparison of the materials printed in the Colonial Records with the originals.

#### a. NORTH CAROLINA LAND GRANTS.

That the manuscript materials in the British archives have not yet been exhausted is shown further by the Land Grants. Down to 1752, the period covered by the first four volumes of the Colonial Records, it was the custom to give the names of the grantees. Long lists of such grantees are printed in Volume IV (See "Land Grants, lists of"). There is also the most abundant evidence that land patents and land warrants were issued in North Carolina down to the Revolution, *e. g.*, at a Council meeting on April 6, 1765: "Was read sundry patents for land, viz., No. 1 to No. 130, inclusive, which were all granted except Nos. 76, 99, 100, 112, 119, 120, 121, 122, 123, 124, 131." But no list of these and of other contemporary grantees appears in the Records. (See Index under "Land patents, granted," "Land warrants, granted," etc.)

Yet the names of many of these grantees down to the Revolution are preserved in the British Public Record Office. They are described by Dr. Andrews in his Guide as follows:

#### *Colonial Office, Class 5.*

V. 319 (formerly B. T. North Carolina, 42). 1707-1768. Patents of Land. An entry book containing an "Abstract of patents for land granted in his Majesty's part of the province of North Carolina." The patents are arranged alphabetically, and are taken from the records of patents in the secretary's office in the colony.

As the Colonial Records contain many lists of grantees of lands down to about 1752, we may perhaps safely assume that the greater part if not all of the contents of this volume have been printed already.

V. 320 (formerly B. T. North Carolina, 38). 1765-1770. Grants of Land. Record of the patents of land granted to claimants by the court of claims

sitting at Wilmington, Apr. and Oct., 1765, to Apr., 1770. The claimants are arranged under their respective counties. The dates of the grants are Sept. and Oct., 1766; Apr., 1767; Oct., 1767; Apr., 1768; Dec., 1768; May, 1769; Dec., 1769; Apr., 1770. These copies were sent over by Gov. Tryon, and the originals should be in the Record Book of Patents, in the secretary's office, North Carolina.

- V. 321-322 (formerly B. T. North Carolina, 40-41). 1774-1775. Grants of Land. Similar to 320, containing lists of patents granted at the court of claims in North Carolina in 1774 and 1775. The record tabulates the information under the following headings: "Number"; "Patentees' names"; "No. of acres"; "What County"; "Date of patent"; "Situation of lands." There are 1156 entries in 321, some being duplicates, some caveats; and 1349 in 322.

*Colonial Office, Class 324.*

- V. 54. Plantations General (old B. T. Plantations General, 54). 1750-1770. Grants of Land. This volume contains: North Carolina, 1770. Land office patents granted at a court of claims, held at New Bern, Nov. 30, 1770, giving patentee's name, number of acres, date of warrant, date of patent, and situation. The distribution is by counties; and the entries were taken from the secretary's office, North Carolina, Mar. 30, 1771, and April 10, 1771.

An examination of the printed Colonial Records for the periods covered by these entries in C. O., Class 5, Nos. 320, 321, and Class 324, No. 54, will show that few or none of the names of these grantees are there printed.

See also the entry: "North Carolina, Lands," in Stevens's "Catalogue Index to Manuscripts in Archives of England, France, Holland, and Spain, relating to America, 1763-1783," and the manuscript records in the office of the Secretary of State, Raleigh.

b. NORTH CAROLINA SESSION LAWS.

Students have noticed that the session laws as printed in volumes XXIII, XXIV, and XXV are not complete. The gaps are as follows, assuming that nothing more can be found for the period antedating the Revisal of 1715:<sup>1</sup>

1715. Revisal, lacks chapter 62.

1727. November session, lacks chapters 1, 2, 3, 4, 5, 6, 8.

1729. November session, lacks chapters 1, 8, 9, 10.

<sup>1</sup>Mr. Hathaway has printed in the North Carolina Historical and Genealogical Register copies of various laws enacted prior to 1715 and of which we have no other record, e. g., an act of 1689 on "Probius language" (II. 197); an act on debts, 1704 (III. 54); one on the processioning of land, 1703 (III. 71); one regulating the size of pork barrels (III. 150), and one on proving wills (III. 58), both without date. The originals on which these copies are based were found among the records of Chowan County. It is believed that careful search will bring to light other specimens of legislation during the proprietary period.

1734. Lacks chapters 1, 2, 4, 5, 7, 9.  
 1738. March session, lacks chapters 1, 2, 4, 5, 6, 7, 8, 9.  
 1739. February session, lacks chapters 1, 2.  
 1740. August session, lacks chapters 5, 6, 8, 11, 12.  
 1741. April session, lacks chapters 2, 3, 6, 10.  
 1741. Second session, lacks chapter 2.  
 1755. September session, lacks chapter 3 (in part).  
 1759. November session, lacks chapter 13 (in part).  
 1770. December session, lacks chapters 2, 12, 25, 30, 38, 41, 44.  
 1771. November session, lacks chapter 8.  
 1783. April session, lacks chapters 46, 49, 54, 57, 58, 59.

This represents a total of 54 laws enacted between 1715 and 1783 that seem to be lost. Are these laws lost beyond recovery? All of those passed after 1750 were printed in the colony. Some of these early issues of the colonial press are occasionally found, and it seems reasonable to think that others, including the missing ones, may yet be found either in the State or in the British archives, from which source many of the chapters printed in this series have been but recently recovered.

According to Professor Andrews's "List of the Journals and Acts of the Councils and Assemblies and the Acts of the Thirteen Original Colonies, and the Floridas, now preserved among the Colonial Office Papers in the Public Record Office" in the Report of the American Historical Association for 1908 (p. 403 *et seq.*) material may be found there which may go towards completing our list of colonial laws:

*Colonial Office, Class 5.*

- V. 333 (old B. T., Acts North Carolina, 1) contains:  
 "Copy of 9 acts passed in 1734," of which we lack 6.  
 "Copy of 11 acts passed in 1738," of which we lack 8. See also No. 334.  
 "Copy of 4 acts passed in February, 1739-40," of which we lack 2.  
 V. 335 (old B. T., North Carolina, 39) contains:  
 "Printed Acts 1755, 2d session," of which we lack 1. See also Nos. 333 and 336.  
 "1759, 9th session, November," of which we lack 1. See also No. 336.  
 V. 340 (old B. T., Acts North Carolina, 6) contains:  
 "Acts Jan. 15, 1771-March 6, 1773; Nos. 166-266," of which we lack 8. See also No. 341.

If these lists of acts are as complete as they seem from the printed references, they ought to furnish us half of the laws needed before the Revolution, in fact all except for 1715, 1727, 1729, and 1741.

To complete the acts for April session, 1783, we shall have to depend on finding in America a complete copy of the printed acts for that session. The three copies known, that of the State Library, the University, and my own, all stop with p. 44, chapter 45.



I add as a matter of interest a list of all known copies of the pre-revolutionary Revisals of North Carolina and of the Session Acts (original editions) down to 1801.

## LIST OF KNOWN COPIES OF NORTH CAROLINA PRE-REVOLUTIONARY REVISALS.

	Revisal of				
	1751	1752	1764	1765	1773
Association of the Bar, New York, N. Y.....		x			x
Boston Public Library.....					x
British Museum.....				x	
Columbia University.....		x			x
Cornell University.....					x
Harvard University.....		x			x
John Carter Brown Library.....		x			
Library of Congress.....	x				
Massachusetts State Library.....					x
New York Historical Society.....	x	x <sup>1</sup>	x		x
New York Public Library.....	x			x	
North Carolina State Library.....		x	x	x	x
Pennsylvania Historical Society.....	x				
University of North Carolina.....		x		x	x
Thomas M. Pittman.....				x	
Stephen B. Weeks.....	x <sup>2</sup>	x <sup>1</sup>			x

<sup>1</sup>Imperfect.    <sup>2</sup>Oldest known copy; stops with laws for 1750.

## LIST OF KNOWN COPIES OF NORTH CAROLINA SESSION LAWS, 1751-1800.

	British Museum.	British P. R. O.	Association of the Bar.	Harvard University.	Pa. Historical Society.	N. C. State Library.	U. N. C. Library.	Library Stephen B. Weeks.
1751.....			x	x	x	x	x	x
1752.....			x	x	x	x	x	
1753.....		x			x <sup>1</sup>			
1754, February.....		x <sup>1</sup>						
1754, December.....		x						
1755.....		x						
1756.....		x						
1757, May.....		x						
1757, November.....		x						
1758, April.....		x						
1758, November.....		x						
1759, May.....		x						
1759, November.....		x						
1760, April.....		x						
1760, May.....		x						
1760, June.....		x						
1760, November.....								
1761.....								
1762.....								x <sup>3</sup>
1764.....								x
1765.....								x
1766.....								x
1767.....								
1768.....								

## LIST OF KNOWN COPIES OF NORTH CAROLINA SESSION LAWS, 1751-1800—CONTINUED.

	British Museum.	British P. R. O.	Association of the Bar.	Harvard University.	Pa. Histori- cal Society.	N. C. State Library.	U. N. C. Library.	Library Stephen B. Weeks.
1769.....								
1770.....								
1771.....								
1773.....								
1774.....			x					x
1776.....								
1777.....						x <sup>1</sup>	x	
1778, April.....						x <sup>2</sup>	x <sup>2</sup>	
1778, August.....								
1779, January.....						x		
1779, May.....						x	x	
1779, October.....						x	x	
1780, April.....						x	x	
1780, September.....						x	x	
1781, January.....						x <sup>1</sup>		
1781, June.....						x <sup>1</sup>	x	
1782.....						x	x	x <sup>1</sup>
1783.....						x <sup>1</sup>	x <sup>1</sup>	
1784, April.....						x	x	x
1784, October.....						x	x	x
1785.....			x			x	x	x
1786.....			x			x <sup>1</sup>	x	
1787.....			x	x		x	x <sup>1</sup>	x
1788.....			x	x		x	x	
1789.....			x	x		x	x <sup>1</sup>	x
1790.....			x	x		x	x	x <sup>1</sup>
1791.....			x	x		x <sup>1</sup>	x	x <sup>1</sup>
1792.....			x	x		x	x	x
1793.....			x	x		x <sup>3</sup>	x <sup>1</sup>	
1794, July.....			x	x				
1794, December.....			x	x		x	x	x
1795.....	x		x	x		x	x	x
1796.....	x		x	x				
1797.....			x	x		x <sup>1</sup>	x <sup>1</sup>	
1798.....			x	x		x	x	
1799.....			x	x			x	x
1800.....			x	x		x	x	x

<sup>1</sup>Numbered as pp. 373-384.    <sup>2</sup>Numbered as pp. 385-410, and evidently intended also as an appendix to the Revisal of 1752.    <sup>3</sup>Imperfect.

B. MISCELLANEOUS NORTH CAROLINA DOCUMENTS IN THE BRITISH  
PUBLIC RECORD OFFICE, ETC.

This list of documents, supposed to contain material bearing on North Carolina, is based on Andrews' Guide, vols. I and II. The first volume deals with the State Papers; volume II with the Public Record Office, Departmental and miscellaneous offices, which are not included in either volumes I (State Papers) or III (British Museum). Volume II is not yet published. I was enabled to examine the proof-sheets through the courtesy of Dr. J. Franklin Jameson, director of the Bureau of Historical Research, Carnegie Institution.

These documents are apparently unpublished except as indicated.

a. STATE PAPERS.<sup>1</sup>

*State Papers Domestic, George II.*

- V. 151. Regarding Lord Carteret's lands in Carolina.

*State Papers Domestic, George III.*

- V. 4. Papers in regard to the Cherokee Indians.  
V. 5. Warrant for the salary of William Tryon, governor, for £1,000 out of the four and a half per cent.  
V. 14. Letter on the reduction of Carolina, June 15, 1780.

*State Papers Domestic, Entry Book.*

- V. 237. Rev. Thomas Bray for erecting a company to defray expenses of orthodox ministers and instructors in America.  
V. 238. Daniel Coxe in regard to the Heath Patent.  
V. 325. Appointing James Dulaney chief justice of North Carolina.

*State Papers Domestic, Naval.*

- V. 29. Complaint of Capt. Frankland against Governor Glen of South Carolina.  
V. 42. A great number of papers relating to proceedings of vice admiralty courts in America against Spanish vessels (answers to queries sent by Admiralty Board to colonies, from . . . North Carolina—original papers, not copies).  
V. 124. List of ships taken, 1715-1727, among which are a number sailing between the American continent and the West Indies—Barbadoes to Carolina, . . . name of captor is given, also cargo and value.

*State Papers Domestic, Military.*

- V. 38. Warrant for arms for North Carolina and Virginia, Oct. 7, 19, 1754.

<sup>1</sup>This account of the State Papers and of the Colonial Office Papers is taken from Andrews' Guide, I.—State Papers.

*Home Office 42 (continuation of State Papers, Dom., George III.).*

- V. 1. Extract of letter to some one gone to England, planning to return from a loyalist, J. Hamilton, in America, mentioning Governor Tryon. Mar. 31, 1782.

*Home Office 55 (Colonial Office 5).*

- V. 7. Address from Loyal American Refugees to the King, June, 1779. The signatures are divided among the colonies thus: . . . Virginia, 13; South Carolina, 13; North Carolina, 11; Georgia, 7.

*State Papers Miscellaneous.*

- V. 25. Index: "Barbadoes," "Bermudas," "Carolina," etc.

## b. COLONIAL OFFICE PAPERS.

*Colonial Office, Class 5.*

- V. 1 (old America and West Indies, 601). 1689-1783. Plantations General. Petition and memorial from the Carolina Proprietors.
- V. 5 (old A. W. I. 603). Memorial from Henry McCulloh, containing observations based on his recent journey through America, 1748—fo. 247.
- V. 9 (old A. W. I. 58). 1710-1713. A number of documents relating to affairs in North Carolina in 1712 (printed); one document dated 1685; another, 1709.
- V. 67 (old A. W. I. 270). Papers relating to Indian affairs, particularly in the Southern Department. Copies of Stuart's papers on the subject.
- V. 116 (old A. W. I. 295). 1775-1779. Petitions and Memorials. Memorials from Loyalists in Georgia and South Carolina as to the best way of reducing those colonies to obedience to the Crown; other Georgia and South Carolina material.
- V. 159 (old S. P. Dom. George III., 9, 13 and 15 and H. O. Secretary of State 1). 1772-1775. Correspondence of the Secretaries of State for the colonies with the Attorney General and Solicitor General.
- Objects to mode of attaching the effects of absent debtors in North Carolina and asks how governors can be instructed to consent to such regulation respecting attachment as may without prejudice to the fundamental principles of the law of England remove the objections stated by the assembly to the present restrictions.
- Concerning Regulators in North Carolina, with a copy of King's proclamation of amnesty.
- V. 176 (old A. W. I. 298). 1778-1783. General correspondence of the Secretary of State with Civil Offices of the Revolting Colonies.
- North Carolina. Letters from Gov. Martin, Jan. 23, 1778-May 23, 1782, from New York, Army Headquarters (Camden and Waxhaw) and London, giving an account of events of the period and of military affairs in the South, enclosing printed broadsides and newspapers and presenting the case of refugees and their families; also copy of a letter from Lord George German. Probably all printed.
- V. 217 (old A. W. I. 388). 1765-1766. Précis of correspondence with Governors, North. "This book contains all that passes by the No. American mail, vizt.: The Northern Province as far south as North Carolina inclusive." Contains abstracts of governor's letters and copies of dispatches to the governors.

Probably all printed.



- V. 227 (old A. W. I. 392). 1768-1771. In-letters: Indian affairs, letters from John Stuart and others.

Probably all printed and apparently little on North Carolina in this volume as copied for the Library of Congress.

- V. 272 (old B. T. Commercial II. 440). Entry book of Charters: Carolina, Massachusetts, Connecticut, Rhode Island. Printed.

- V. 1257-1279 (old B. T. Proprieties, 2-24). 1697-1776. Original papers relating to the proprietary governments: Bahamas, Connecticut, Carolina, and others.

All except vol. 1272 have been copied by the Historical Society of Pennsylvania.

*Colonial Office, Class 23.*

- V. 12 (old A. W. I. 452, 453). Bahamas. 1696-1731. Correspondence with the Secretary of State. These papers throw light on trade and commerce with New England, Virginia, North and South Carolina.

- V. 26. Bahamas (old Col. Corr. Bahamas. 11). 1781-1786. Miscellaneous, including many papers relating to Loyalists, refugees, among them James Hepburne, "formerly retailer of gin and whiskey in North Carolina." (See Index.)

*Colonial Office, Class 137.*

- V. 79, 80, 81. Jamaica (old Col. Corr. Jamaica, 1-26). Papers regarding the recruiting and service of American Loyalist troops (particularly the Loyal American Rangers, the regiment of the North Carolina colonel, John Hamilton, who was the very crest of Tory organization in the South) ordered to Pensacola.

*Colonial Office, Class 323.*

- V. 4. Plantations General (old B. T. Plantations General, 6). 1689-1780. Account of ordnance and other stores of war sent to the Plantations between 1660 and 1688, including Carolina.

- V. 32. Plantations General, 1758-1759. This volume concerns North Carolina, South Carolina, Georgia, Newfoundland, and the West Indies.

*Colonial Office, Class 324.*

- V. 32. Plantations General, 1710-1713. Letters to the Proprietors on disorders in Carolina, 1712.

- V. 37. 1736-1749. Instructions to Gabriel Johnston regarding Carteret's Eighth, with other papers.

- V. 40. 1760-1764. Instructions to Amherst, expressing secretary's displeasure at conduct of governors of Pennsylvania and North Carolina, referring to the representation of Mar. 15, 1763.

Instructions to the governors of North Carolina, South Carolina, and Nova Scotia.

- V. 44. 1778-1783. Warrant for appointment of John Stuart as colonel of the Creeks, Cherokees, Choctaws, Chickasaws, Catawbas, and of all other Indian tribes within the Southern District of North America.

- V. 54. 1750-1771. Grants of land. See under Land Grants.

- V. 60. Plantations General (old B. T. Plantations General 60). 1703-1782. Entry Book of appointment of agents: North Carolina, James Abercrombie, 1748; Henry E. McCulloh, 1769.

*Colonial Office, Class 326.*

- V. 15. Board of Trade, 1780. Lists of maps. Includes 10 large volumes (old B. T. Book of Maps 8-17), 2½ feet square. No. 13 is devoted to North and South Carolina. Another volume (old B. T. Book of Maps 28) contains: 19. Carolina and Georgia; 49. North Carolina.
- V. 16. Board of Trade, 1703-1782. Registers of Board of Trade Papers. These volumes contain the titles of letters received and written by the Board. No. 16 is devoted to North Carolina, 1730-1759.

*Colonial Office, Class 388.*

- No. 57. Board of Trade, Commercial, 1769-1770. Many memorials from agents of Virginia, South Carolina, North Carolina, etc.

*Colonial Office, Class 390.*

- No. 8. Board of Trade, Commercial, 1712-1717. Lettered A-K. G shows the quantity of timber imported in three years, 1717-1720, especially from Newfoundland, West Indies, Carolina, etc.

*Colonial Office, Class 391.*

- No. 117. Board of Trade Journal (old B. T. Journal 29). 1719-20. Contains copies of minutes and letters relating to disputes between England and France regarding the extent of their respective claims in America—Hudson's Bay, Carolina, and elsewhere.

C. ADMIRALTY PAPERS.<sup>1</sup>*Admiralty I. In-Letters.*

- No. 486. Commodore Parker's letters (1775-1777) from Cape Fear and other places.
- No. 3672. Penrice on admiralty jurisdiction in North Carolina; advises that jurisdictions be kept distinct by order in Council, June 6, 1729.
- No. 3680. Ships condemned in the vice admiralty court of North Carolina—Prohibitory Act forbidding taking ships in rebel colonies—appeal. July 23, 1777.
- No. 3817. Letter of Governor Gabriel Johnston. June 11, 1741.
- No. 3818. Letter of Gov. Arthur Dobbs and council. Mar. 3, 1757.
- No. 3878. Joseph Anderson appointed by the governor to succeed Porter, the late judge. Edenton, N. C., Nov. 16, 1743. Joseph Anderson with an account of prizes, Nov. 12, 1744.
- No. 3881. Letter from William Faris concerning prizes, North Carolina. Nov. 27, 1747.
- No. 4316-4330. Letters from the War Office. These (apparently 4318) contain a reference to George Gould, appointed surveyor general of North Carolina and collector of customs at Bath Town, Feb. 29, 1740.

*Admiralty II. Out-Letters.*

- No. 1045-1061. Letters relating to admiralty and vice-admiralty courts. Letters to George Burrington, governor of North Carolina. 1730.

<sup>1</sup>Based on Andrews' Guide, II.—Public Record Office, Departmental and miscellaneous.

No. 1057. Regulations governing the court at Charleston, *id.* within the limits of North Carolina, South Carolina, Georgia, and the Floridas. Augustus Johnston, judge, Andrew Dummer, register.

*Admiralty VII. Miscellaneous.*

No. 592. 1768-1769. Tabular statements of exports and imports from colonial ports. Includes ports of Currituck, Roanoke. Bath Town, Beaufort and Brunswick in North Carolina. Gives species of merchandize, quantity and country of origin or destination.

*Admiralty. Accountant General's Department. Miscellaneous, Various.*

No. 2. 1775-1782. Documents relating to transports and tenders employed during the American War. Some letters from Carolina, Virginia, etc.

*Admiralty. Medical Department.*

No. 85. 1709-1754. Packets of original in-letters from surgeons and agents for sick and wounded seamen from Virginia, North and South Carolina, etc.

d. AUDIT OFFICE PAPERS.

*A. O. Accounts, Various.*

No. 126. (12) Account of Josiah Martin, governor of North Carolina. 1776-1779 (Decl. Acc., A. O., 1259. 139).

*A. O. Declared Accounts.*

Bundle 202. Roll 654, *Id.*, contractor of victuals for the Carolinas. 1781. Roll 655, *Id.*, contractor of victuals for the Carolinas, Georgia, Florida, etc., 1781.

Bundle 325. Roll 1287. Accounts of North Carolina [Loyal] Troops. Roll 1288, Accounts of Wilmington Light Dragoons, North Carolina Highlanders, North Carolina Independent Company and many other companies of loyal troops. 1776-1782.

The data furnished regarding these provincial companies, though varying in different instances, generally consist of names of commanding officers, periods of service, and pay of special officers and the rank and file.

Bundle 338. Roll 1357. Declaration of Maj. R. England, Quartermaster for Carolina and Virginia. 1781.

Bundle 514. Roll 193. Declaration of Stedman and Boote, commissaries of captures in North and South Carolina and Virginia. 1780-1782.

Bundle 1259. Roll 139. Declaration of the account of Josiah Martin, governor of North Carolina, of money received from the Paymaster-General of his Majesty's Forces, by the hands of the deputy paymaster there . . . and of the expenditure thereof in disbursements for necessaries to distressed refugees and other expenses in North Carolina; as also for the pay and subsistence of several officers and soldiers in a corps of provincial forces raised in North Carolina pursuant to authority, from January 10, 1776, to October 24, 1779. £300 was spent to supply the necessities "of divers persons well affected to the government who have been obliged by the persecution of the rebels to take refuge on board the shipping in Cape Fear River"; also other items regarding prisoners and provincial officers,

medicine, attendance, provisions, etc. The names of individuals are given and a large amount of detailed information of interest for North Carolina, 1776-1779.

Bundle 2192. Roll 207. Stamp Duties. This is the Comptroller General's declaration of the general account of the several duties arising on stamped vellum parchment, and paper in the British colonies and plantations in America. 1765. Contains a complete list of all the colonial receivers of stamps, with the arrears due in goods, money or bonds.

Bundle 2320. Roll 47. Bill "against the Proprietors of Carolina for abuse of their Charter." Total charge £84. 8s. 3d. Quo warranto proceedings, c. 1706.

#### e. TREASURY PAPERS.

Henry McCulloh, receiver of quit rents in the Carolinas, quoted on the duties of the auditor or his deputies in the plantations. See his "A miscellaneous Essay concerning the Courses pursued by Great Britain in the Affairs of her Colonies (London, 1755), pp. 104-117, quoted in Andrews' Guide, II.

The appointment of receiver had to be approved by the Treasury. In case of a vacancy, the governor might appoint. Gov. Martin appointed Archibald Neilson in North Carolina, who could exercise full powers until the approval or disapproval of the Auditor General in England was received.

No. 330 (256). 1748. Petition of Henry McCulloh regarding quit rents, and other papers.

Petitions of McCulloh to the Treasury and to Walpole.

No. 325 (261). 1749. Walpole's report on Eleazar Allen's accounts as receiver of quit rents.

No. 338 (264). c. 1750. Entry of passengers for Wilmington, N. C., by the *Industry*, John Alexander, master. Belongs to the same series as *Treas.* 47: 9-11.

No. 350 (276). 1752. Warrant for payment of Henry McCulloh.

Memorial and claim of the widow of Gabriel Johnston, deceased, late governor of North Carolina, in behalf of herself and her children.

No. 353 (279). 1753. Statement of W. Horseley, "at the desire of the Carolina merchants," regarding the converting of tar into pitch in England and consequent loss to the revenue.

No. 355 (281). 1754. Memorial of Arthur Dobbs, governor, regarding the need of small coin; says that there is scarcely any gold or silver bullion in the colony, and wishes a copper coinage to be struck off at the mint for the use of the colony. The reply of the mint follows, Oct. 1. Dobbs places the white population at 80,000.

No. 360 (286). 1755. Copy of Dinwiddie's commission to Peter Randolph and William Byrd, commissioners to the Catawba and Cherokee Indians.

Copy of act in North Carolina for ascertaining and securing the payment of quit-rents with marginal comments. The papers mentioned in the accompanying Board of Trade letter are in 361, ffo. 117, 119, 149, 159, 160, 182. [Probably the act passed at Dec. Sess. 1754.]

Copy of quit-rent act in North Carolina, with Child's objections to the same, and the report of Sir Matthew Lamb (ffo. 149, 159, 160, 182).

No. 368 (294). 1756. Letter of Robert Palmer, Port Bath, regarding seizure of a ship.



No. 369 (295). 1756. Memorial of Henry McCulloh regarding his salary, with an account of his case, and a request that he be exempted from paying quit rents (fo. 38).

Order in Council regarding petition of Henry McCulloh. Oct. 13.

No. 372 (298). 1757. Claims of Virginia and North and South Carolina to the £50,000 granted by Parliament. See No. 376 (302) for apportionment.

Memorial of William Byrd and Peter Randolph for allowance recompensing them for negotiating treaty with Indians. Cf. 381, fo. 24.

Report from Robert Cholmondely, auditor general, on land grants in North Carolina. Walpole's last report was in January; this is Cholmondely's first report.

No. 382 (313). 1758. Deposition of Joseph Caruthers in the John Rutherford case. Jan. 4.

Report of Privy Council Committee on case of Henry McCulloh, with copy of his petition.

Order in Council authorizing payment of McCulloh. June 16.

McCulloh's receipt for £1035 paid out of the four and a half per cent. The whole sum was to have been paid out of the quit-rents, but the amount was not sufficient. July 14.

No. 388 (314). 1757. Petition of John Rutherford, praying to be restored as receiver general of quit-rents for North Carolina, with a careful statement in his own defense. Also letter from Cholmondely.

No. 397 (323). 1759. Cholmondely on the Rutherford Case. July 21.

No. 463 (389). 1768. Memorial of William Graves on behalf of Lancelot Graves Berry, collector in North Carolina. Read Apr. 19.

No. 467 (392). 1768. Documents in the case of a master of a vessel, the *Aurora*, brig, supposed by the governor of North Carolina to be guilty of a breach of the acts of trade. Read Oct. 25.

No. 480 (405). 1770. Memorial of merchants of London trading to North and South Carolina and Georgia.

No. 496 (421). 1772. Extract of a letter from Gov. Martin regarding quit-rents.

No. 500 (425). 1773. Remarks of Robert Jones on the North Carolina quit-rent act (fo. 111).

No. 502 (427). 1773. Gov. Josiah Martin on quit-rents.

No. 505 (430). 1774. Letter from Gov. Martin on quit-rents and Receiver General Rutherford. July 29.

No. 518 (443). 1775. Petition of agents of American Loyalists to Parliament, signed by Joseph Galloway and Henry Eustace McCulloh (fo. 51).

#### *Treasury 4. Indexes, Reference Books.*

No. 3. Petition of George Muschamp, who had served as had his father in the customs service in Ireland, and prays to succeed Gibbs, who was "King's collector of Carolina and Roanoke" (p. 148). 1684.

No. 12. Representation from estate of Gov. Gabriel Johnston, regarding arrears of salary (p. 48). Oct. 10, 1760.

No. 16. 1702-1711. Report of Blathwayt with several states of Her Majesty's revenue in the plantations (followed by a brief statement of revenue accounts in Massachusetts, New York, Jamaica, Virginia, Caribbee Islands, the Jerseys, and Carolina.

*Treasury 33. Accounts General: Declaration, Auditors.*

No. 151, c. 1770. Expenses. Wills Tryon, Arm. Gubernator N. Carolinae Super allocation's. ad, m l. per annum.

*Treasury 38. Accounts Departmental: Auditors.*

No. 362. An account showing the quantity of rice imported and exported from Christmas, 1705, to Christmas, 1712, Carolina showing the largest quantity.

No. 363. An account of the numbers of ships and names of the masters that have since Sept. 29, 1730, taken license and given bond for liberty to carry rice from Carolina to the southward of Cape Finisterre, etc.

An account of the value of the exports from England for Maryland, Virginia, and Carolina. Apr. 8, 1731.

*Id.*, for New York, New England, Pennsylvania, Virginia, Maryland, and Carolina. Apr. 21, 1731.

An account of what quantity of pig-iron has been imported into England from Christmas, 1720, to Christmas, 1730. Feb. 9, 1732. Figures for Virginia, Maryland, Pennsylvania, and Carolina (very little).

*Id.*, Bar-iron. Figures for Jamaica. Virginia, Maryland, Barbadoes, New England, and Carolina (very small amount).

*Treasury 47. Miscellaneous.*

Nos. 9-11. 1773-1776. Emigration Lists. These lists were drawn up in response to a letter from the Treasury, Dec. 8, 1773, and as here preserved are incomplete. The largest group of names includes redemptioners and indentured servants going to Virginia, Maryland, Philadelphia, New York, and a few to North Carolina. See N. E. Hist. and Genealog. Register, 1910 and 1911.

No. 12. *Id.* List of emigrants from Scottish ports for Nova Scotia, New York, Pennsylvania, North and South Carolina, Georgia, Antigua, and elsewhere.

*Treasury 50. Miscellanea. Loyalists.*

Bundles 1-5. 1780-1782. North and South Carolina Refugees.

These volumes contain an account of disbursements for the militia and for Loyalist refugees at Charleston. 1780-1782.

1. The militia receipt book of Capt. John Cunningham, paymaster general of militia at Charleston, 1781, containing the receipt-signature of each militia man, the amount paid to him, and the period for which it was paid. Books of payment to several militia regiments, containing the names of the officers and men, rates, amounts, and places where each regiment served. June 14-Dec. 13, 1780.

Alphabetical Index nominum to the South Carolina militia. Charleston. 1781.

*Id.* North Carolina militia.

Book of receipts for cash paid by Col. Robert Gray, paymaster general of North Carolina militia, to the men of Col. Faithful Graham's regiment. Similar documents. 1782.

Many of the papers in this bundle are damaged and difficult to read. They are valuable for the names in the lists, particularly those of Colonel Graham's regiment. The book of receipts for cash paid on the South Carolina abstracts furnishes a list of royal regiments and the names of the men, and in many cases interesting comments added to the names given in the list.

2. Continuation of second item in Bundle 1.

Indices nominum of distressed refugees who received charitable donations. 1781. No. 11 is of importance as giving names, states, etc., in full.

Cash book of money received from the commandant of indigent refugees, contingent expenses (interesting items). Sept. 18, 1781-Jan. 1782.

3. Small packets containing abstracts of pay of North and South Carolina militia, 1782; the third packet more damaged than the others.

4. Reports touching the cases of distressed refugees, with details, the names of those recommending the case and the amounts allowed (important). 1781.

Collection of exhibits justifying the recommendation.

Militia and refugee receipts, South Carolina. 1781-1782.

5. Continuation of 4: Abstracts of pay and receipts signed by refugees receiving allowances; also contingent expenses of refugees in Charleston, 1781. and other similar papers. (Formerly *Miscellanea, Refugees, Carolina*, 1-5.)

Bundles 6-28, 31-48. 1782-1831. Loyalists Quarterly Pension Lists. These schedules furnish information supplemental to that given in the Audit Office series of bundles and volumes of American Loyalist Claims. As early as 1776 the Treasury inaugurated the policy of making payments to Loyalist refugees who had incurred losses in America. After 1778 the claims were carefully investigated. These volumes are the ledgers of actual allowances and payments. The list includes under 1782: Josiah Martin, governor of N. C., £500; 1783: H. E. McCulloh, gentleman, of North Carolina, £300; Arch. Neilson, deputy and naval officer, North Carolina, £60, etc., etc.

*Treasury 52. King's Warrants, 1667-1783.*

Bundle 6. Contains warrants with the King's sign manual, directing the payment of special appropriation of £50,000 for Virginia, North and South Carolina.

*Treasury 53. Money Books, or Warrants relating to Money, 1676-1783.*

Bundle 31. Contains entries of warrants for payment to Jonathan Forward of London, merchant, the sum of £264 for transporting 66 malefactors, lately lying in Newgate. The names of the 66 convicts, of which 28 were women, are given with the statement that they were to be transported to Carolina or Virginia (March 7, 1723/24).

*Treasury 54. Warrants not relating to money.*

Bundle 31. Report from the Treasury on the proposals of the Proprietaries of the Carolinas.

Warrant authorizing Auditor General Walpole to have a deputy in the Carolinas for receiving quit rents.

*Treasury 60. Auditor's Order Book, 1667-1783.*

Nos. 1-25 contain order issued for allowance to clergyman going to North Carolina June 21, 1776.

*Treasury 62. Maps and Plans.*

No. 125 (formerly No. 94), West Indies. contains plans of entrance to Cape Fear Harbor.

*Treasury 64. Miscellanies, Various.*

No. 88. 1680-1718. Entry book of William Blathwayt, auditor general. Contains: Rent due from Carolina patentees (p. 96).

No. 89. Same. Regarding boundaries between Virginia and Carolina (pp. 406-413).

No. 90. Same. Warrant for expense of settling bounds between Virginia and Carolina, £250 (p. 93).

No. 273. 1707-1779. Various accounts of imports and exports. Contains: An account of the quantity of rice carried directly from Carolina to foreign lands, to the southward of Cape Finisterre, 1730-1737.

An account of the quantity of refined sugars exported from England, 1736-1737. Considerable quantities were sent to all the plantations, especially to Carolina, Jamaica, Virginia, Maryland, and Pennsylvania.

An account of the quantity of rice imported into England from Carolina, 1723-1737. March, 1739.

No. 274. An account of British plantations brown sugar imported into and exported from the port of London and the outposts and to what places exported for ten years past, distinguishing each year. May 3, 1758. Mention is made of Carolina.

An account of the quantity of rice exported from North Carolina, South Carolina, and Georgia to any part of America to the southward of South Carolina and Georgia since the passing of the acts by which such exportation was allowed (brief). Feb. 17, 1766.

An account of the quantity of rice, sago powder and vermicelli imported into England. May 4, 1767, to Nov. 30, 1767. Rice only is exported from Carolina.

An account of the quantity of wheat and wheat flour imported into England. Jan. 5-Oct. 10, 1767. Jan. 10, 1768. A little wheat flour from Carolina.

No. 276. An account of the quantity of tobacco imported into England for seven years, Christmas, 1762-Christmas, 1769, distinguishing each year and each colony. Aug. 22, 1770. Greater part from Carolina, Virginia, and Maryland.

An account of coffee imported into England from Carolina, etc. 1773-1774.

No. 291. Allowances to Peter Randolph and William Byrd for services as commissioners to arrange treaty with the Cherokees and Catawbas, £700. July 30, 1761.

*Treasury 75. East Florida Claims.*

There are no North Carolina Tories mentioned in this connection by Andrews, but since many went from North Carolina to Florida or saw service there with the British, there is doubtless considerable material on the subject under this heading.

## f. WAR OFFICE PAPERS.

*War Office 12, 1882-11099. 1757-1783. General Series.*

The list accompanying notes the regiments of regulars serving between 1757 and 1783. The regiments serving in America at any time during the period can be ascertained from W. O. 24 and in part from C. O. 5. 173. When the name or number of the regiment serving in North Carolina is known, data concerning it can be obtained from those rolls and lists.



For instance, W. O. 24, 189, contain materials on Lord Cathcart's expedition against Carthagena, 1739 and 1740, and as these usually have lists of plantation troops, we may hope to find there the names of the North Carolinians who served in that expedition. See also the various registers included under W. O. 25.

*War Office 65.*

Nos. 164-166. 1770-1783. Annual Army Lists, made up for use in the War Office.

Contains printed lists of officers of the provincial regiments, including the following North Carolina troops:

King's Carolina Loyalists or King's Florida Rangers.  
North Carolina Volunteers.  
North Carolina Independent Company.  
Wilmington Light Dragoons.  
North Carolina Highlanders.  
North Carolina Provincials.  
Perhaps other companies.

g. HIGH COURT OF ADMIRALTY PAPERS.

*Adm. Court, Miscellanea: Ships, Books and Papers.*

972. *George*. Archibald Bog, master. Skye to Cape Fear, Aug. 6, 1775, had fight with privateer out of Boston and struck, June 16, 1776.

974. *Peggy*. Alexander Hardie, master. Charleston to Cape Fear. June 4, 1775; Cape Fear to Bristol, July 21-Aug. 28, 1775. Was transport ship with Adm. Parker's fleet and returned to Cape Fear, July 26, 1776, thence to England.

1180. 1781-1790. Letters to importing merchants, including in North Carolina: Maj. Robert Smith (Mecklenburg Co.), Josiah Collins (Edenton), Webb, Bryer & Co. (Edenton), Dr. Nathan Alexander (Mecklenburg Co.), Daniel Dunscomb, Jr. (Chatham).

h. ADMIRALTY COURT PRIZE PAPERS.

*War American Revolution, 1776-1786, Nos. 260-493.*

Bundle 274 includes: *D'Argenté*. Letter from captain of the 1st Georgia Regiment of Foot in the Continental Army to the Governor of North Carolina.

Bundle 282. *Brothers*, formerly the *Sally*, taken by the *Buckskin*, Dec. 5, 1776, retaken Aug. 9, 1777, by the *General Howe*. The owners were Alexander and Hugh Telfair, Scotchmen of Halifax. N. C., who claimed that they were escaping loyalists and that the ship could not be condemned as a prize; papers relate to this claim.

284. *Borcas*, from Philadelphia to North Carolina, captured by the transport *Richard*, Nov. 12, 1779. *Beggar's Benison*, from the West Indies to North Carolina or Virginia, taken by a Dominican privateer, July 2, 1778.

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i. CORNWALLIS PAPERS.

Bundles 2-6 cover his activities in North Carolina. There is perhaps little of interest to North Carolina in these manuscripts which has not already seen the light in the Cornwallis Correspondence or in Stevens's Campaign in Virginia; but see also in this connection Stevens's Index. The originals are deposited in P. R. O.

## j. SHAFTESBURY PAPERS.

Those relating to Carolina have been calendared in Cal. State Papers, collected and printed in extenso in the collections of the South Carolina Historical Society, vol. V. The originals are in the P. R. O.

## k. SOUTH CAROLINA PAPERS.

The South Carolina records are grouped mainly under C. O. 5, Nos. 358-535. There is much on North Carolina there also. The condition of the records of that State and its policy towards publication may be seen from the following letter of Mr. A. S. Salley, Jr., Secretary of the South Carolina Historical Commission (May 9, 1913):

It will be a long time before we publish the transcripts of the papers in the British Public Record Office relating to South Carolina. We have tons of original records of our provincial governments (proprietary and royal), and most of them cannot be duplicated. I am, therefore, printing them up as fast as I can. The originals of the transcripts being safely housed in the B. P. R. O., we could replace the transcripts in case they should be destroyed. Many of them are also recorded here in our books of original entry and will be printed when we print those books. I enclose you a list of our publications, wherein you will see that we have printed eight small volumes of provincial records of the proprietary period. I believe in printing each volume of records on a given subject in a volume to itself. \* \* \*

No calendar of our transcripts has been published. One has been made by Mr. Leland of the Carnegie Institution. \* \* \* We have much material here that would pad out your North Carolina additional volumes if properly gleaned.

## C. MISCELLANEOUS NORTH CAROLINA DOCUMENTS IN THE BRITISH MUSEUM AND OTHER DEPOSITORIES.

In Andrews' Guide to the British Museum are references to many papers which apparently relate to North Carolina and which do not appear in the Colonial Records. Many of these documents have been copied for the Library of Congress and are mentioned later. The following list contains only those which have not been copied:

## a. SLOANE MANUSCRIPTS.

No. 2717, fo. 9. Pass signed "Chris. Merchant, Albemarle County in Carolina," August 18, 1690.

Nos. 4046, 4047. Various letters from Mark Catesby, dated Charleston, and dealing with the fauna and flora of Carolina.

No. 4058, fo. 198. Letter from Dr. Daniel Cox.

Selections from 4036-4058 are in the Library of Congress.

## b. ADDITIONAL MANUSCRIPTS.

No. 5414. Roll 24. Map of Carolina, from Virginia to Georgia.

Date must be 17th century.

No. 14036. Map of the Cherokee Country, by John Stuart.

Shows the back country of Virginia and Carolina, the location of Fort Loudoun etc.

No. 31981. B. Plan of mouth of Cape Fear River in North Carolina, 1749.

By Edward Hyrne (?).

No. 32692, fo. 521. Letter of Robert Monro to Newcastle, seeking to obtain for William Mackay the post of clerk of assembly of North Carolina in place of Amyand.

No. 32693, fo. 175. Considerations by Henry McCulloh about enlisting.

No. 35911. Hardwicke Papers relating to America, with materials on the Cherokees.

## c. PRIVY COUNCIL OFFICE.

## UNBOUND PAPERS:

1767. Report of a committee upon the North Carolina act passed May, 1765, for establishing an orthodox clergy.

1768. Report of committee upon the memorial of Henry McCulloh, George Augustus Selwyn, and others, praying that a bond, given with respect to the quit rents in North Carolina on escheated lands surrendered, may be canceled and that the memorialists may be otherwise received (relieved?) in respect to their lands. February 1, 1768.

The English Pilot, the Fourth Book, describing the West India navigation from Hudson's Bay to the River Amazonas . . . also a New Description of Newfoundland, New England, New York, East and West Jersey, Delaware Bay, Virginia, Maryland, and Carolina (London. MDCCLX).

A printed volume of maps and charts of the coast.

## d. HOUSE OF LORDS.

1706. Feb. 28. Petition of Joseph Boone, merchant, in behalf of himself and others, etc. Printed in Col. Rec. I.

Mar. 2. Charles II.'s grant and (1) act for establishment of religious worship; (2) for more effectual preservation of the government, etc. Printed in Col. Rec. I and II.

- Mar. 5. Petition from Lord Craven, asking that hearing of Boone's petition be deferred.
- Mar. 9. Arguments of counsel for proprietors of Carolina. See Col. Rec. I. 635.
1730. May 12. Five papers relating to trade in rice from Carolina.
1741. March 5. Account of state of paper currency of North Carolina from the first emission of any bills of credit to 1740.
1742. February 18. Extract of letter from a captain just arrived from Carolina, relating to privateers cruising to intercept the trade.
- Applications for convoy for ships trading to Carolina.
1766. Copy of letter from Mr. Houston, distributor of stamps for North Carolina, to Commissioners of Stamps. November 20, 1765.
1767. Copy of letter from Gov. Tryon to Secretary Conway, Brunswick, N. C., Aug. 2, 1766, enclosing Address of borough of Wilmington to Gov. Tryon, with his answer.
- Address of mayor and gentlemen of Wilmington to Gov. Tryon, with his answer.
- Some of these have been copied for the Library of Congress and some published.

#### e. FRIENDS' REFERENCE LIBRARY.

Devonshire House, 12 Bishopsgate, Without, E. C.

- The Abram Rawlinson Barclay collection of MSS. contains some 250 letters dating from 1650 to 1690 and addressed to George Fox and others from Maryland, Carolina, and Barbadoes. The collection includes Archdale's letter to Fox dated North Carolina 25th of 1st month, 1686, which has been published by Hawks. There are possibly others from Carolina.

#### f. ROYAL SOCIETY.

The printed Philosophical Transactions of the Royal Society contain numerous references to the natural history of Carolina. That Society possesses also the original of Hilton's Report on his "Discovery in Florida," printed in part in Col. Rec. I.

#### g. RAWLINSON MANUSCRIPTS, C.

No. 155, fo. 279. Act for enlisting trusty slaves in Carolina. 1708.

#### h. CLARENDON MANUSCRIPTS.

- C. 29. Copper plate. Virginia. Map of the Roanoke, Blackwater, and other rivers, and of Currituck Inlet. Dated March 6, 1727/28. Has on it figures of plants and animals. May have been cut to illustrate a portion of the boundary line between Virginia and North Carolina according to the Byrd survey.
- C. 30. Copper plate. Virginia. Buildings. Probably in some town in Virginia or Carolina.



## i. ALL SOULS COLLEGE LIBRARY, OXFORD.

Printed copy of: The Information of Capt. Henry Wilkinson of what hath passed betwixt him and some other Persons, who have attempted to prevail with him to swear High Treason against the Earl of Shaftesbury (London, 1681).

Wilkinson was appointed by the Lords Proprietors governor of North Carolina in 1680. He was actually commissioned; one of his sons was named surveyor general, another register, a ship was hired, goods placed on board, his family, servants and other passengers with goods, utensils and baggage were ready to set sail, when he was arrested and the voyage given up.

So says Andrews; but Wilkinson's instructions were later sent to North Carolina, and on March 7, 1682-3, he was made a cacique, which would seem to indicate that his connection with the colony had not ceased.

## D. MISCELLANEOUS DOCUMENTS IN THE ROYAL INSTITUTION OF GREAT BRITAIN AND IN THE ROMAN AND GERMAN ARCHIVES.

## a. ROYAL INSTITUTION.

These manuscripts are, briefly, the headquarters papers of the successive British commanders in chief in the American War of Independence. They have been calendared by the English Historical Manuscripts Commission. The chief North Carolina papers, such as are not already printed in our Records (and few of these papers appear there), are noted as follows (for a fuller account of these particular papers and the exact reference to their location, see the printed Report of the English Historical Manuscripts Commission on this subject, 4 volumes, 1904-1909).

- 1774. Sept. 10, 14. Statement of account of John Collet with George Whiton for flagging stones for Ft. Johnston.
- 1775. July 4. Gov. Josiah Martin to Alexander McLeod on the rising of the Highlanders for the king. 3 pages.
- Sept. 15. Earl of Dartmouth to Maj. Gen. Howe (Br.), enclosing extracts from Gov. Martin's letters of June 30 and July 6.
- 1776. Nov. 4. Gov. Josiah Martin to General Howe (Br.) on Maj. Alexander McLeod and Capt. William Campbell and the North Carolina Provincials.
- 1777. June 5. Alexander McLeod's account of his expenses for the public service (Br.) in North Carolina and for relief of distressed Highlanders, etc. 3 pages.
- 1778. April 6. Lt. Col. Thomas Brown to Gen. Patrick Tonyn on the North Carolina Provincials and the American invasion of Florida (many references to this subject, but scattered).
- April 10. Lt. Col. Thomas Brown to Gen. Prevost, on same.
- April 29. Col. J. DeBerniere to Lt. Gov. Henry Hamilton (of Canada) on his return to America, etc. (Col. DeBerniere later settled in North Carolina and was the grandfather of Prof. J. DeBerniere Hooper.)
- May 16. Gov. Josiah Martin to Lords Commissioners of the Treasury on payment of the officers of the North Carolina Provincials.
- June 3. Gov. Patrick Tonyn to Gen. Sir William Howe on Southern Indians, war on the Florida frontier, etc.

- July 20. Carolina Royalists. Suggested organization, etc.
- July 25. Gov. Patrick Tonn to Gen. Sir Henry Clinton on Southern Indians, war on the Florida frontier, etc.
- Aug. 6. John Robinson to Gen. Sir Henry Clinton, provisions and support of the North Carolina Provincial officers.
- Aug. 25. Gen. Sir Henry Clinton to Brig. Gen. Prevost on the Carolina Loyalists.
1779. March 29. Lord George Germain to Gen. Sir Henry Clinton, introducing Capt. Alexander McLean of North Carolina, who is returning to New York from England with some recruits.
- June 16. Maj. Gen. Prevost to Gen. Sir Henry Clinton on the North Carolina Volunteers.
- July 14. Same to same on attack on Savannah by Americans. 3 pages.
- Aug. 10. John Robinson to Gen. Sir Henry Clinton, enclosing Alexander McLeod's memorial to Lord North on his losses, etc. 5 pages.
- Aug. 23. Stephen P. Adye to Col. Roger Morris, requesting that 13 persons lately exchanged and some time officers in the North Carolina Provincials be supplied with provisions.
- Sept. 6. Maj. Gen. Aug. Prevost to Sir Henry Clinton on the Georgia campaigns.
- Nov. 9. Gov. Josiah Martin to Col. Roger Morris, recommending the bearer, William Williamson, a North Carolina refugee, for rations.
- November. William Williamson to Gen. Sir Henry Clinton. Memorial, reciting his work for the King in North Carolina. 2 pages.
1780. May 22. Gen. Sir Henry Clinton. Proclamation on South Carolina.
- May 30. Lt. Col. Banastre Tarleton to Earl Cornwallis, dated at Wacsaw, May 29. Return of British and American casualties at the Wacsaw, enclosed by Earl Cornwallis to Sir Henry Clinton. 2 pages.
- June 2. Earl Cornwallis to Gen. Sir Henry Clinton on casualties at the Wacsaw, May 29. 1 page (Buford's defeat).
- June 3. Gen. Sir Henry Clinton to Earl Cornwallis on proposed small expedition to Cape Fear River.
- June 22. G. Benson to Abner Nash, from Charleston. 1 page.
- June 24. Robert McCulloh to Abner Nash, from Charleston. 1 page.
- Aug. 16. Camden. Field return of the troops under Earl Cornwallis on the night of Aug. 15, 1780. Return of killed, wounded and missing and of prisoners taken. 3 pages (list of prisoners, apparently in part, printed in XV, 168-9 and XXII, 523).
- Aug. 18. Return of killed and wounded under Lt. Col. Tarleton in the action at Catawba Fords; with return of prisoners. 2 pages. (Sumter's defeat.)
- Sept. 2. Earl Cornwallis to Capt. Duncan McRae, authorizing him to embody Tories in Anson Co., N. C. 1 page.
- Sept. 16. Earl Cornwallis to John Cruden, with commission for seizure, superintendence, custody and management of captured property. 6 pages.
- Dec. 17. Lt. Col. Thomas Brown to Earl Cornwallis on Cherokees who have agreed to attack frontiers.
1781. Jan. 6. Earl Cornwallis to Sir Henry Clinton on his coming march into North Carolina. 3 pages.
- Feb. 6. Lord Rawdon to Lt. Col. Balfour on Cornwallis's reported crossing of the Catawba and route of the Americans. 2 pages.

- Feb. 7. Lord Rawdon to Lt. Col. Balfour on Greene's retreat towards the Moravian settlement.
- Feb. 15. Lord Rawdon to Lt. Col. Balfour on movements of Lord Cornwallis in North Carolina.
- March. Provincial troops. State of the men belonging to the corps of Guides and Pioneers under command of Lt. Angus McDonald from May 15, 1780, to March 5, 1781, when they were delivered to Lt. Ebenezer Brown at Hillsboro, N. C. 1 page.
- March 13. John Robinson to Sir Henry Clinton on supplies for the Southern Army (Br.).
- March 23. Lord Rawdon to Gen. Sir Henry Clinton, with some additional circumstances of the "most important victory" of Guilford Court House.
- April 25. Appointment by Gov. Abner Nash of James Spicer to command the "Endeavour," a flag vessel for conveying British prisoners to Charleston. Newbern, N. C. 3 pages.
- June 20. Deposition of James Spicer on seizure of the "Endeavour" on this date by the British. 3 pages.
- Sept. 20. Maj. James Henry Craig to Duncan Rae (Ray), appointing him colonel of the loyal militia of the Highland District of Anson Co.
- Nov. 7. Gov. Josiah Martin from London to ..... on North Carolina loyalists in 1776, their expenses, etc. 2 pages.
- Nov. 13. Lt. Gen. Alexander Leslie to Lord George Germain on withdrawal of British troops from Wilmington, Greene's position, etc.
1782. Feb. 1. Gen. N. Greene to Lt. Gen. Leslie on execution of Hayne, on Gov. Burke, etc. 4 pages.
- Feb. 9. Proposals on the exchange of Lt. Col. Archibald Lytle.
- March 7. Gov. Josiah Martin to Welbore Ellis from London, recommending the regiment of Scotch Highland emigrants. Encloses return of officers nominated for the regiment of North Carolina Highlanders, showing their present situation and establishment. 6 pages and 1 page.
- March 8. Neill MacArthur, captain North Carolina Highlanders, from Charlestown, with account of expenses of Loyalists in North Carolina in January, 1776, amounting to £484. 14s. sterling. 2 pages.
- March 12. Lt. Gen. Alexander Leslie to Gen. Sir Henry Clinton on Greene's accession of North Carolina troops.
- May 9. Same to same on same.
- June 5. Lt. Gov. William Bull to Sir Guy Carleton, from Charleston, with memorial for loyal inhabitants of South and North Carolina.
- June 24. North Carolina Independent Company, commanded by Eli Branson. Abstract of pay and subsistence from 1 April, 1781, to October 19, 202 days, £164, 19s. 4d. Certificate by J. Mallett. 1 page.
- July 4. General Washington to Sir Guy Carleton, enclosing "List of persons, exiles from South Carolina [North Carolina?] now in Philadelphia, bound to Edenton, North Carolina, where they have relatives and friends now residing, and who will hold themselves in readiness to embark in a flag with their families, household goods, &c., &c."
- July 13. Brook Watson to Maurice Morgann on Tories mentioned in the above item. Thinks part of them are to be taken on board at Edenton.
- August 10. Lt. Gen. Alex Leslie to Sir Guy Carleton on sending the North Carolina and other loyalist regiments to East Florida.

- August 17. George Cherry, agent victualler. Account of provisions for 10,000 in the Carolinas.
- August 29. Paper giving a "Return of the Loyal Inhabitants within the British lines at Charles Town, South Carolina, who have given their names as intending to leave that province upon the evacuation of the garrison." Doubtless contains many North Carolinians.
- Sept. 10. Sir Guy Carleton to Lt. Gen. Alex Leslie. Approves proposal to send North Carolina Volunteers and North Carolina Highlanders to St. Augustine.
- Sept. 18. Sir Guy Carleton to Gov. Patrick Tynon on same.
- Oct. 3. Lt. Gen. Alex Leslie to Sir Guy Carleton on same.
- Nov. 22. Muster Master General's Office. Charleston, S. C. Paper showing dates of musters of the Royal North Carolina Volunteers, etc.
- N. D. [1782]. Neill McArthur to Sir Henry Clinton. Memorial on his service as captain of North Carolina Highlanders, provisions and arms furnished in 1776, etc.
1783. Jan. 9. Brig. Gen. Arch. McArthur to Sir Guy Carleton on rank of Lt. Col. John Hamilton; Carolina refugees, etc.
- Jan. 12. Lt. Col. Thomas Brown to Sir Guy Carleton on Cherokee Indians.
- Feb'y 17. John Hamilton to Sir Guy Carleton on condition of Loyalists from South Carolina, with request for aid.
- March 3. Maj. Frederick Mackenzie to Gov. John Parr on Lt. Col. Hamilton and the Carolina refugees.
- March 25. Maj. Gen. Robert Howe to Sir Guy Carleton on Mr. Livingston.
- March 26. Gov. Alexander Martin. State of North Carolina. Certificate *re* flag granted by Abner Nash. [See Spicer, James, and the Endeavour.]
- April 4. Sir Guy Carleton to Maj. Gen. Robert Howe on Livingston.
- May 5. Eli Branson, Captain North Carolina Independent Company, to Dr. Wm. Brownjohn, recommending Henry Strader of North Carolina.
- May 10. Lt. Col. John Hamilton to Brig. Gen. Arch. McArthur. Reports that the officers and soldiers of the North Carolina regiment are resolved to embark for some British settlement "however soon they may be ordered, either to Britain, Halifax, or the West Indies."
- May 20. Brig. Gen. Archibald McArthur to Sir Guy Carleton on return of Major Manson to Britain.
- May 22. John O'Halloran to Brig. Gen. Archibald McArthur on his shipwreck in the "Eliza" near Cape Fear.
- June 25, 1782-June 24, 1783. Abstract of pay due the North Carolina Independent Company.
- April 20, 1783-June 24. Same for North Carolina Volunteers doing duty with the New York Volunteers.
- June 25, 1782-June 24, 1783. Account of 365 days pay for the North Carolina Volunteers doing duty with the New York Volunteers who were taken prisoners and since returned from captivity.
- July 5. Brig. Gen. Archibald McArthur to Sir Guy Carleton on the Cherokees, etc.
- Aug. 2. Lt. Col. Allan Stewart, North Carolina Highland Regiment, to Sir Guy Carleton on death of Col. Duncan Ray of the Loyal North Carolina militia and funds needed for expenses.
- Aug. 4. Lt. Col. Allan Stewart to Major Mackenzie on same. "I learn 30 guineas will clear that as well as every other charge."



June 25-Aug. 24. Abstract of pay for North Carolina Volunteers doing duty with the New York Volunteers.

August. Warrant for £187 to Capt. William Gray, paymaster of the North Carolina Volunteers, being the pay due the officers and privates who were taken prisoners and since returned from captivity.

Sept. 7. Brig. Gen. Arch. McArthur to Sir Guy Carleton on desertions from the North Carolina regiment.

Sept. 12. Same to same on members of the North Carolina regiment who "are desirous of going to Britain."

Oct. 9. Lt. Col. Allan Stewart to Maj. Fred. Mackenzie on his service with the North Carolina Highland Regiment.

Aug. 25-Oct. 24. Abstract of pay for North Carolina Volunteers doing duty with the New York Volunteers. £42 3s. 10d.

Same for North Carolina Independent Company doing duty with the New York Volunteers. £65 1s. 4d.

#### b. ROMAN ARCHIVES.

Letter from London on sale of Carolina. May 28, 1728. Volume 1728-1740. England 3, f. 53.—See Fish's Guide, p. 187 (Carnegie Institution).

#### c. GERMAN ARCHIVES.

While Professor Learned has shown that there is a great mass of materials in the German State Archives relating to America, most relates to the nineteenth century and little goes back of the American Revolution. The following titles relating to North Carolina have been found (see Learned's Guide to German Archives, Carnegie Institution, 1912):

Papers relating to the Thuringian Company.

Die aus Thuringen auf die Englische Americanische Insul Carolina sich zu begebene gesonnene Hoch Teutsche Compagnie btrf. 1706.

Documents relating to the plans and purposes of the Hochteutsche Compagnie von Langensalza, which is to go to America by way of England under the guidance of "eines grossen Quackers der einer der 8 Lords Proprietaires von der Province Carolina in America, und als erneuter Gouverneur dahin abseegeln wird."

Letters of Carl Christian Kirchner in London, dated March, 1706, relating to a report of Matthew Elliston and containing among other things the following: "Anfragen wegen Carolina so Ihrer Ezcell. John Archdale, Proprietor von Carolina unterthaenig uebergeben werden mit gehorsamster Bitte solche dergestalt zu beantworten, dass man sich darauff verlassen koenne" (58 questions in all. Are they the same as those asked by the Huguenots? p. 141).—Saxony, Dresden Archives, No. 2249—Learned, p. 296-7.

Various documents referring to the Thuringian Company which proposed settlement in Carolina. Feb. 12/23-July 24, 1706. 49 folios.

Paper relating to Matthew Elliston, with a list of 14 questions asking for information concerning Carolina and the plan of settlement by the Germans, and referring to the "Hochteutsche Compagnie."

Papers from Polycarp. Mich. Rechtenbach to John Archdale, Proprietor and governor of northern Carolina, Langen Salza, Feb. 22, 1705. (Saxony, Dresden Archives, No. 9905—Learned, p. 299).

Documents on Emigration:

Rescript of the Duke of Wuerttemberg regulating emigration to Carolina and Pennsylvania, Sept. 8, 1717. Rescript shows that no particular effort had been made by the authorities to restrain emigration. Wuerttemberg State Archives, vol. 2, p. 931.—Learned, p. 303.

Various letters and official documents on the emigration of Germans and Swiss to Pennsylvania and Carolina; orders of the burgomaster and council of Basil against emigration to Carolina, Apr. 20, 1735; letters from Pennsylvania to Basil with references to Carolina, etc., 1727-1737 (Baden, p. 236).

Documents on the Revolution and After:

Journal der Expedition auf Charlestown, in Süd Carolina under Commando Sr. Excell. General en Cheff Sir Henry Clinton, Dec. 18, 1779 (Marburg, p. 118).

Report of DuBuy from Cape Fear River, N. C., Apr. 24, 1781. (Marburg, pp. 115, 252.)

Letters and Papers of Henry Edmund von Lutterloh:

To the King on the treaty. Wilmington, "a l'America," Sept. 16, 1786, in French.

To Schulenburg, on same subject. Wilmington, Sept. 14, 1786.

Proposal for a "Handels Compagnie." Wilmington, Feb. 25, 1786, in German.

Three papers relating to his application for the position of consul general in America. Wilmington, Aug. 31, 1788, in French. See Learned's Report on German Archives, Prussia, p. 32, 33.

Papers of Schulenburg in relation to the Pro Memoria of Lutterloh touching European trade with America. Reasons why such commercial agreements cannot yet be made are given, among them the inability of Americans to pay. Berlin, Aug. 27, 1786 (Prussia, p. 38).

Verhandlungen des Arolser Kabinetts mit dem Major H. E. Lutterloh betr. Werbungen für das dritte Englisch—Waldeckische Sold—regiment, 1775-1776 (Marburg, p. 145).

## II. NORTH CAROLINA MATERIALS IN GOVERNMENT ARCHIVES IN WASHINGTON.

An examination of the Archives of the Federal Government in Washington will bring to light much new material on various phases of this subject. Van Tyne & Leland's Guide (Carnegie Institution, 1907) suggests lines of investigation that the North Carolina scholar might profitably follow. A few of these only need be mentioned here. The account of the materials in the Library of Congress is based on a more or less detailed personal examination.

## A. THE EXECUTIVE OFFICES.

*State Department, Bureau of Rolls and Library.*

In this Bureau there is a collection of material relating to the old Southwest Territory between the date of its cession to the United States and its organization as the State of Tennessee. It is more than likely that there is here material of interest and value to North Carolina.

*Treasury Department.*

This Department has the financial papers of the Revolution, including a list of Continental certificates of indebtedness under the act of July 4, 1783, giving names, certificate numbers, dates and amounts. There are over 90,000 entries. The Loan Office records begin with 1784, extend to over 500 volumes and include the records of the loan offices in the thirteen states, with ledgers, receipts, subscriptions of stock, journals, statements of stock, comprising the assumed state debts, etc.

*Pension Office.*

In the Pension Office there are to be found:

Private Journal of Captain Abraham Philips during the Revolutionary War (rejected file. 8,184).

Col. Guilford Dudley's declaration narrating Greene's campaign in North Carolina (widows' file. 8,681).

A "Journal of Occurrences," 1801-1807, some 45 pages of fragments dealing with the Indians, especially the Creeks and Cherokees. Said to be of no value.

The Revolutionary Records have been transferred to the Adjutant General's Office of the War Department. At least one roster of a North Carolina company has been recently found there.

## B. THE LIBRARY OF CONGRESS.

## a. ORIGINAL NORTH CAROLINA MATERIAL.

*Miscellaneous.*

1. List of estimates of allowances due the members of the North Carolina assembly in 1756; instructions from the Provincial Congress to its delegates to the Continental Congress, 1776; letters and resolutions relating to the Constitutional Convention of 1788.

2. Papers of Spencer Compton, Earl of Wilmington. These papers, while of relatively little importance for North Carolina, cannot be neglected. In particular may be mentioned an A.L.S. of Gabriel Johnston to Lord Wilmington on public affairs, quit rents, blank patents, mulberries and silk. Edenton, Dec. 1, 1735 (4 p.). There are some other papers of perhaps slight importance *in re* land grants for baronies, etc.

3. Miscellaneous Letters: Thomas Burke to James Iredell, directing him to appear at court as Attorney General. A.L.S. July 30, 1781.

Abner Nash to Gen. Caswell on subsistence of troops. A.L.S. July 8, 1780.

Willie Jones to Gov. Burke, Aug. 15, 1781.

Lafayette to Burke, July 16, 1781.

Anthony Wayne to Burke, Sept. 3, 1781.

4. Collett's Anson County: Description / of / Anson County in North Carolina / By / J. A. Collett / 1769 /

Six small pages descriptive of the natural features of the county. Seems to have been edited by the person to whom Collett had made over 25,000 acres of land, divided into two tracts of 12,500 acres each.

5. McCulloh Papers (from the Collection of Sir Thomas Phillips). These papers bear on Henry McCulloh's appointment and duties in North Carolina, his lands, his relations to Lord Granville, to the Murray, Crymble and Huey grants, etc. They are all apparently unprinted and include:

Gov. Johnston to Wm. Adair, Edenton, Sept. 5, 1746.

John Rutherford to . . . . . Mar. 26, 1773.

Same to Wm. Adair, Wilmington, Dec. 9, 1769.

Wm. Adair to John Rutherford, Dec. 12, 1766.

Petition of John Rutherford to Commissioners of the Treasury, Oct. 24, 1750, etc.

### *The Greene Papers.*

But of all the Revolutionary characters who played their part on the North Carolina stage, the most important from the standpoint of historical sources was Nathanael Greene. Some few of his letters have been printed in this series, but most are not as yet convenient to the local student, if printed at all. His correspondence and papers, though voluminous, are scattered. It has seemed proper, therefore, to give a short account of this scattered material.<sup>1</sup>

Of the Greene correspondence relating to the Southern Campaign of 1780-82, the Library of Congress contains:

Two volumes of the original letters and reports sent by Greene to the Continental Congress, Sept. 25, 1780, to Aug. 22, 1785 (in Cont. Cong. Papers, 155. vols. 1 and 2).

Two volumes of letters to the Continental Congress, being contemporary copies of the originals sent to the Congress made for the use of Congress and as a precaution against possible loss, Oct. 27, 1780, to Dec. 1783. Supposed to contain the same as the Cont. Cong. Papers, but sometimes a copy is found where there is no original, or an original without a copy.

There are 87 Greene letters in the Washington correspondence in the Library of Congress of which 3 have been printed in our Records; also some in the Force collection (but no North Carolina). There are also Greene letters, originals and copies, in the Sparks MSS. in the library of Harvard University; there are others among the Steuben papers in the New York Historical Society and in other depositories of Revolutionary correspondence. There are also miscellaneous Greene letters in other connections in the Library of Congress, but the most important of all these Greene Papers for North Carolina history are three of the original Letter Books of Greene: (1) Oct.-Dec., 1780; (2) Jan.-Feb., 1781; (3) Jan.-April, 1782. Of these, volumes 2 and 3 came to the Library with the Force collection; vol. 1 was recently purchased from Dodd, Mead & Co.

Vol. 3 contains a number of unprinted letters relating to North Carolina affairs and some that have been printed in the State Records. Volumes

<sup>1</sup>As this Historical Review is going through the press Mr. Marshall DeLancey Haywood is making for the use of the Federal Government a thorough survey of all sources of Revolutionary history that are to be found within the State.



1 and 2 are so distinctively North Carolina volumes that if printed entire little material would appear that is not germane to the State. It seems that practically all of these volumes are unprinted.

There are a number of returns of tents, camp equipage, riding horses, wagons and teams of the North Carolina Brigade, Jan. 24 to April 18, 1779, among the Greene correspondence in the Library of the American Philosophical Society of Philadelphia (see *Calendar of Correspondence Relating to the American Revolution*. Philadelphia, 1900). These were most probably the papers on which Dr. Charles Caldwell based his *Life of Nathanael Greene*, published in 1819 (Philadelphia). They fill 12 volumes and were selected and arranged in their present form by Col. Charles Pettit from the papers relating to the quartermaster's department in his possession after the Revolution.

The New York Public Library has an Order Book of Greene (1780); and two Letter Books, January 4 to February 29, 1781, and January 1 to April 8, 1782. These volumes are transcripts made about 1850 for George Bancroft. It is evident that they were made from the volumes in the Library of Congress that came to it with the Force collection.

The *Life of Greene* by Judge William Johnson is based on his private papers, as is that by his grandson, George Washington Greene. The third volume of the latter work is devoted to the Southern campaign of 1780-81. "In my first two volumes," says the author, "I have drawn freely from Gen. Greene's correspondence, inserting many letters entire, and giving copious extracts from others. But while I have still made this correspondence the basis of my third volume also, I have used it rather as the material from which my narrative was to be woven than as a narrative in itself."

This statement is true, the student who expects to find General Greene in the books printed about him will be to a great extent disappointed. As for the *Life and Correspondence* by Judge Johnson, the student can only wonder how it was possible for that author to spin out a tedious narrative through a thousand pages when he was literally surrounded and overwhelmed by the vivid and dramatic letters of the original actors.

An effort was made about the time of the Civil War to induce the United States to purchase and print the whole, but it failed. In the winter of 1893-94 an effort was made to secure their purchase by the State of Rhode Island.

According to an account then drawn up, the papers then contained some 1,900 letters written by Greene and nearly 2,500 written to him. His own letters were written to a large variety of correspondents, especially concerning the war in the South. The letters to him included 55 from Washington, 46 from Lafayette, 116 from Marion, 114 from Henry Lee, 67 from Col. Laurens, 63 from Col. Carrington, 57 from Col. Wadsworth, 57 from Sumter, 47 from Wayne, 43 from Otho H. Williams, 34 from Steuben, 34 from Robert Morris, 27 from Lincoln, 26 from Kosciusko, and smaller numbers from other Revolutionary generals, including Weedon, Pickens, Varnum, Gist, Knox, Wade Hampton, St. Clair, Count d'Estaing, Count Rochambeau. There were more than 200 from the governors of states, including many from the governors of the Southern States.

The price asked for the collection was more than the State of Rhode Island could be induced to pay, and it is understood that the whole mass of

Greene MSS. was sold to a dealer in autographs in New York City. In 1906 George H. Richmond, of New York City, printed a list of 114 "Letters by and to Gen. Nathanael Greene, with some to his wife," which covers in part his Southern campaign and shows the vast richness of this still unprinted mine of sources.<sup>1</sup>

*The Continental Congress Papers and the Washington Correspondence.*

Besides the Greene Papers mentioned above, there is considerable North Carolina material in the Papers of the Continental Congress. No. 72, devoted to the North and South Carolina State Papers, contains much material of an official character that was addressed by North Carolina officials to the Congress. The more valuable parts have been printed in this series already (some of it from the North Carolina Executive Letter Books), but it is believed that an exhaustive reëxamination of all this material would more than repay the State.

There are letters from Burke, Harnett, Caswell and Nash; also from Smallwood, Hand, Greene, Gates, Morgan and Robert Howe (35, of which 4 are printed in this series). There is also an Orderly Book of Gates, July-Oct., 1780,<sup>2</sup> but as the Gates Papers in the New York Historical Society were used in the compilation of this series (vol. 14) there is perhaps little Gates material of value not already printed.

The Washington Papers contain many North Carolina letters, including: the Chev. Armand (Marquis de Rouerie); Caswell (3); Davie (Dec. 3, 1778); Thomas Dockery (Richmond Co., May 25, 1797); Gates (8, one published); Greene (87, 3 published); Benj. Hawkins (1784-1798, 5); Richard Henderson (Bladensburgh, July 5, 1788); James Hogan (2, both published); Robert Howe (about 130, 3 published); James Iredell (Sept. 20, 1780); Daniel Morgan (Jan. 5, 9, 1780); A. Nash (4, one published); F. Nash (1, published).

Attention is called to the presence in this correspondence of about 130 letters from Major General Robert Howe, some of them autograph copies, and of 35 others in the Continental Congress Papers. Of these letters, only 7 seem to have been printed in this series. It may be objected that General Howe's work was on a larger stage than North Carolina. True, and General Howe was the only North Carolinian to attain to the rank of Major General in the Continental Army, the only one to be entrusted with grave responsibilities and to play his part upon the wider stage of the continent; therefore he is deserving of special consideration from his native state.

*Papers relating to the Loyalists' Claims.*

Among the most important is the original Report of the Commissioners to investigate the claims of Loyalists growing out of the American War. These Commissioners came to Canada, and between 1783 and 1789 met many Loyalists personally and secured their evidence.

<sup>1</sup>See a detailed account of "The Papers of Major-Gen. Nathanael Greene" by Dr. J. Franklin Jameson, in Publications Rhode Island Historical Society, III. 159-167 (Oct., 1895).

<sup>2</sup>The New York Public Library has 250 Morgan Letters, collected by Theodorus Bailey Meyers; 145 autograph letters of Gen. Hand; some Gates Papers, but mainly private and post-Revolutionary; Gates's Letter Book, June 21, 1780-Oct. 7, 1781; his Orderly Book, 1778 and 1780.

There is here a vast amount of material of social and economic significance as well as of value for biography and genealogy. The whole was printed as the Report of the Bureau of Archives, Province of Ontario, for 1904 (pts. 1 and 2), being edited by Alexander Fraser (Toronto, 1905). The originals belong to the Smithsonian Collections. The claims of the North Carolina Tories, including:

Edmund Fanning,	Captain McNeill,
David Fanning,	John Blewer (Wilmington),
Samuel Campbell (Wilmington),	Dr. Robert Tucker,
Daniel Ray,	Henry Williams,
Alexander Martin,	Samuel Williams,
Martin Meagher,	David Harkey,
Joseph Mercer,	James Green, and
James Rogers,	Richard Wilson.

have been set out at considerable length, and there are many references to the civil war in the Upper Carolinas and to the participants on both sides.

There is also a series of volumes (1-56) dealing with American Loyalist Claims, 1783-1790, among the Treasury Papers, Audit Office (See Andrews' Guide). They represent the books and papers of the Commission of Enquiry into the Losses and Services of the American Loyalists held under Acts of Parliament of 23, 25, 26, 28 and 29, George III., and include applications, memorials, petitions, etc., of the distressed Americans taken by the Commissioners in London; also reports and determinations by the Commissioners.

They have been transcribed in 59 volumes for the New York Public Library under the title: American Loyalists—Transcript of the Manuscript Books and Papers of the Commission of Enquiring into the Losses and Services of the American Loyalists held under Acts of Parliament of 23, 25, 26, 28, and 29 of George III., preserved amongst the Audit Office Records in the Public Record Office of England, 1783-1790—Transcribed for the New York Public Library, 1898-1900.

The volumes that concern North Carolina are:

- Vol. 26. South Carolina claimants.
- Vol. 27. North Carolina, Rhode Island, Vermont and Virginia claimants.
- Vol. 32. Determinations of North Carolina claims.
- Vols. 47 and 48. Examinations in London of New York and North Carolina claimants.<sup>1</sup>

#### b. TRANSCRIPTS FROM THE BRITISH PUBLIC RECORD OFFICE.

The following titles are arranged under the new designations now used in the B. P. R. O., with reference to the old. They have been compared with the published volumes of the Colonial Records, and it is believed that none have been printed except as indicated:

##### *Colonial Office, Class 5.*

- V. 1. Petition of Proprietors to king against appointment of an attorney general for the king in their territory. Nov. 16, 1696—fo. 70.

<sup>1</sup>See Bulletin N. Y. Public Library, 1899, p. 416; 1900, p. 7, 388, and 1901, p. 315.

- V. 5. P. Docminique and others to king on passing a law in North Carolina for a salary for the governor. Feb. 1, 1732/33.—fo. 1.
- Number of fighting men in North Carolina, produce, ships trading to, etc., as reported by Governor Dinwiddie, Aug., 1743—fo. 200.
- List of places in North Carolina at disposal of secretary of state—fo. 227.
- V. 9. An Act Directing an Affirmation to such persons who for Conscience Sake cannot take an oath. c. 1712.
- Edward Hyde to Lord Dartmouth, July 20, 1712, on his troubles in North Carolina.
- Carteret, Ashley, Colleton and Dawson to Dartmouth, asking that Gov. Nicholson be ordered to inquire into and report on disorders in North Carolina. Dec. 3, 1712.
- V. 13 (old A. W. I. 66). Gabriel Johnston to Duke of Bedford, July 15, 1749, on Palatines and death of Moseley—p. 295.
- Same to same, received Nov. 2, 1749, on proclamation of peace and charges against himself. Last half of letter printed in C. R. 4. 919—p. 299.
- Same to same, Dec. 21, 1749, on currency, etc.—p. 347.
- Same to same, Mar. 12, 1749/50, on restitution of prizes taken by Spaniards after Aug. 9, 1748—p. 355.
- Same to Holderness, Feb. 14, 1752, on his accession to office—p. 571.
- V. 14. Gov. Glen to Gov. Dobbs, Charleston, March 13, 1754, on troubles with North Carolina officers over boundary, encroachment on Catawbas, dangers of Indian war, etc.—p. 303.
- V. 15 (old A. W. I. 68). Arthur Dobbs to Sir Thomas Robinson, Feb. 8, 1755, on French war—p. 297.
- V. 16 (old A. W. I. 69). Dobbs to Sir Thomas Robinson, Aug. 25, 1755, on French war and local defense—p. 355.
- V. 17. Resolve of the Upper House to join with the Lower in making the usual provisions for the care of troops sent over for garrison duty—p. 723.
- V. 19. Address of Governor Dobbs, Matthew Rowan, president, and Samuel Swann, speaker, Jan. 21, 1760, to king on victories of English arms—p. 411.
- V. 43. Report on disposition made of confiscated property in North Carolina. c. 1780—fo. 502.
- V. 54 (old A. W. I. 89). Dobbs to Gen. Sir Jeffrey Amherst in regard to North Carolina's share of the £50,000 given by Parliament to Virginia, North Carolina and South Carolina. Shows that between 1754 and 1758 North Carolina had raised £67,706 for war purposes, of which £38,000 went to aid of other colonies. Claims £15,000 as North Carolina's share of the gift of Parliament. Edenton, Dec. 16, 1758—p. 195-201.
- Reply of Gen. Amherst to the above. Tells Dobbs that Virginia, North Carolina and South Carolina should come to a common understanding as to their claims in advance. New York, Feb. 14, 1759.
- V. 57 (old A. W. I. 92). Maj. Gen. Amherst to Gov. Dobbs on Cherokee troubles, etc. New York, Mar. 1, 1760—p. 419.
- V. 58 (old A. W. I. 93). Gov. Dobbs to Gen. Sir Jeffrey Amherst on calling Assembly to raise troops for French war. Brunswick, April 30, 1760—p. 165.
- Gen. Amherst's reply. New York, April 27, 1760—p. 167.
- Dobbs to Maj. Gen. Stanwix on raising North Carolina regiment for French War. Newbern. April 24, 1760—p. 518.
- Brig. Gen. Robert Monckton to Dobbs on same. Philadelphia, May 22, 1760.



Gen. Amherst to Dobbs on same. Albany, May 28, 1760—p. 525.

V. 59 (old A. W. I. 94). Dobbs to Amherst on danger from Southern Indians. Brunswick, Aug. 2, 1760—p. 497.

Amherst to Dobbs in reply to same. Albany, Nov. 3, 1760.

V. 62 (old A. W. I. 97). Dobbs to Sir Jeffrey Amherst on refusal of North Carolina assembly to provide for raising men for the coming campaign. Wilmington, April 30, 1762.

Amherst's answer to same. New York, May 23, 1762.

Extract from letter of Dobbs to Amherst, reporting 100 men enlisted for French war. Brunswick, June 9, 1762.

Amherst's reply to same. New York, July 2, 1762—fos. 217-222.

V. 67. Talk from Cherokees to John Stuart. Aug. 22, 1766.

Report on Admiralty courts in North Carolina. 30 April, 1767.

Talk of John Stuart to Cherokees, Feb. 1, 1766. Same, May 8, 1766.

Letter of John Stuart to Lt. Gov. Bull, dated Charleston, S. C., July 1, 1766, on Cherokees.

Letter of John Stuart to H. S. Conway, Charleston, Oct. 8, 1766, on Cherokees.

\* Recommendation for the establishment of a vice-admiralty court to include North Carolina, 1764.

V. 75 (old A. W. I. 278). Gov. Martin to John Stuart, July 21, 1774, on uneasiness of the Cherokees and prospects of general Indian war (extract), p. 387.

V. 79. Joseph Martin to Col. John Stuart, dated Chota, Cherokee Nation, Feb. 20, 1778, p. 279.

V. 82. William Franklin to Gov. Martin, New York, Jan. 9, 1781, on his appointment as a member of the Board on the Employment of Loyalists in North America—p. 67.

V. 89 (old A. W. I. 127). Gen. Thomas Gage to Earl Hillsborough on artillery furnished Gov. Tryon for use against Regulators. New York, May 7, 1771—p. 203.

V. 92 (old A. W. I. 130). Dartmouth to Gage on giving help to Gov. Martin and causes for encouragement government is receiving from Rowan, Dobbs and Surry counties. Whitehall, May 3, 1775—p. 245.

Long letter from Lord Dartmouth to Sir William Howe on proposed expedition to Cape Fear to conquer Southern provinces. Whitehall, Oct. 22, 1775—p. 539.

Long letter from Lord George Germain to Sir Henry Clinton, instructing him to take command of forces sent to Cape Fear for conquest of the South, together with suggestions as to his movements. Whitehall, Nov. 25, 1775—p. 759.

Letter from Germain to Lord Cornwallis, instructing him to take immediate command of the troops intended for conquest of the South. Whitehall, Dec. 6, 1775—p. 775.

V. 93. "A narrative of the Proceedings of a Body of Loyalists in North Carolina"—apparently to General Howe and forwarded by him April 25, 1776. Unsigned, but endorsed as received from General [sic] March 24, 1776. A 12-p. circumstantial account of the Moore's Creek campaign, written by a Loyalist.—p. 287.

Gov. Martin to Gen. Clinton on the situation in North Carolina and the effects of the defeat at Moore's Creek. Snow Peggy in Cape Fear River, March 20, 1776.—p. 297.

- V. 119. Martin to Geo. B. Rodney, Dec. 13, 1771, on detention of North Carolina vessel at Vera Cruz—fo. 42 c. Other materials are to be found on this case (that of the *John & Elizabeth*) in fo. 69 c, including letters of Benj. Rose to his wife and of Ichabod Simpson to Andrew Black.
- V. 134. James Iredell to Henry Eustace McCulloh, Edenton, Nov. 1, 1775, on the August convention, militia, issue of paper money and its redemption; independence (much against it), free trade and Gov. Martin—fo. 21 g.
- P[enelope] Dawson to Mrs. William Lee, Edenton, Nov. 2, 1775, on skirmish at Hampton—fo. 21 h.
- V. 154 (old S. P. Dom. George III. 10). Imports from North Carolina into Jamaica, 1776. Same from Jamaica to North Carolina.
- V. 154. Hillsborough to Lt. Gen. Gage, Whitehall, 17 July, 1772, introducing Capt. Collett of North Carolina. Same to Tryon. Same to Lord Charles G. Montagu and to Gov. Martin.
- Report on movements of Gov. Martin, by the *Richmond*, Capt. Patterson, arrived in the Clyde, July 15, 1775.
- Letter of Edmund Fanning to John Pownall, New York, 10 Sept., 1775, asking for salary and referring to his North Carolina life.
- Henry Kelly to Lord George Germain, April 4, 1776, with plan to seduce Gen. Robert Howe from the American service.
- Long letter from Samuel Cornell to Elias DeBrosses, in New York, dated June 6, 1771, and dealing with the defeat at Alamance. A most interesting and vivid description of the preliminaries of the battle by an eye-witness and participant.
- Hillsborough to Martin, introducing Capt. Collett. July 17, 1772—fo. 26.
- V. 155 (old S. P. Dom. Geo. III. 16). Col. George Mercer to Lord Germain on increase in his salary as Lieut. Gov. Paris, June 12, 1777—No. 40.
- V. 156 (old S. P. Dom. George III. 17). Letters of Neil Snodgrass, Mar. 12, May 13, 1779, offering to return to North Carolina in service of British Government.
- V. 159. J. Pownall to Richard Jackson, Apr. 22, 1774, on North Carolina Attachment Law—fo. 133.
- Thurlow and Wedderburn to Dartmouth, June 1, 1775, with formal proclamation of pardon by the king for the Regulators, except Herman Husband—fo. 134.
- V. 161 (old S. P. Dom. George III. 8, etc.). Letter from Dartmouth to Master General of Ordnance, Sept. 12, 1775, ordering that 10,000 stand of arms and 200 rounds of ammunition be sent to loyalists in North Carolina—fo. 99.
- There was sent Oct. 5 by the Russian merchant, 6 medium six-pounders, 5,000 stand of arms—f. 107d., 500 bbls. powder put on board at Portsmouth, Oct. 14, 5,000 stand of arms and ammunition shipped by the *Hope*.

#### C. TRANSCRIPTS FROM THE BRITISH MUSEUM.

##### *Lansdowne Manuscripts.*

- No. 846. Observations in relation to the power lodged in the Lord High Treasurer, as it concerns the office and officers in America, submitted by Henry McCulloh of North and South Carolina, commissioner of quit

rents, regarding the support that he should receive from the Lords of the Treasury in his work as commissioner of quit rents—fo. 187.

Communication is undated; warrant for commission issued May 16, 1739.

1215. Abstract of his Majesty's quit rents in North Carolina. received by Eleazar Allen, from September 29, 1729, to March 25, 1742—fo. 163.

Seems to include and continue the list printed in S. R. XXII. 240-260.

### *King's Manuscripts.*

No. 206. Tryon to Earl Shelburne, transmitting reports on methods of granting land, collecting quit rents, etc. The correspondence is printed in Col. Rec. VII. 511-514, and the reports mentioned on p. 513 may be found in these transcripts. Very important. See the letter of John Rutherford (fo. 103) to Tryon, on which his summary No. 3 (Col. Rec. VII, p. 513) is based—fo. 95-103.

Tryon to Shelburne, July 21, 1767, with list of fees received March 28, 1765, to June 30, 1767—fo. 238.

### *Egerton Manuscripts.*

No. 2395. Proposals in order to improvement of the county of Albemarle in Carolina in point of towns, trade, and coin. By George Milner, n. d.—12 ms. pp., fo. 661.

A plea for closer settlement, use of wampum and peage, markets and towns.

No. 2423. "Journal by a Lady (of Quality)" of a Voyage from Scotland to the West Indies and North Carolina. with an account of personal experiences in America during the year 1775 and a visit to Lisbon on her return. Oct. 25, 1774-December, 1775.

As will appear later the author of this Journal was Miss Jen. (Jennie?) Schaw. The voyage covers St. Johns, Antigua, St. Kitts, St. Eustatia and North Carolina. The North Carolina visit included Wilmington, Brunswick, Point Pleasant, Shawfield (16 miles above Wilmington on N. W. Branch) and various other points on the Cape Fear. In alertness, quickness of comprehension, vivacity and vividness of detail I know nothing in North Carolina history at all comparable to this journal, except Lawson's Journal of a Thousand Miles Travel.

This young lady came out with the daughters of Col. John Rutherford, and it was perhaps her intention to remain, had it not been for the political troubles of the time, on the British side of which she gives us some sidelights. She had a brother living in the colony whom she calls Bob and who was then a Tory. Another brother returned to England with despatches. She speaks of a certain botanist, a scientist of European reputation, "Poor H—," as then living on the Cape Fear. She was very fond of Archibald Neilson, who accompanied her on the return trip to Europe; speaks very highly of Gen. James Moore, prophesies that he would give much trouble to the British, but did not think so well of Gen. Robert Howe,—"*Bob Howe*," as he is called here—"brother-in-law of Mrs. S."—"this gentleman has the worst character \* \* \* He is deemed a horrid animal, a sort of woman-eater that devours everything that comes in his way."

The North Carolina part covers the whole of her continental journey and extends to about 20,000 words.

The internal evidence in this Journal, together with the known history of the family in North Carolina, shows her to have been the sister of Alexander Schaw, who went to England in 1775 with despatches for Governor Martin; sailing in the ship on which his sister returned. It is probable also that the "Bob" mentioned in the Journal is Robert Schaw, mentioned in the Records as early as 1757. He was a J. P. for Bladen in 1764, for New Hanover in 1768, and for Brunswick in 1776. He was a lieutenant colonel against the Regulators in 1768; in 1771 was colonel of artillery in Waddell's army, and in June

of that year was president of one of the courtmartial which under form of law allowed Tryon to glut his vengeance on the now defenceless Regulators. He seems to have taken no active part in the Revolution, but such evidence as exists shows him on the side of the patriots. He died prior to 1786.

In their Catalogue No. 261, published in January, 1904, William George's Sons, Booksellers, of Bristol, offer a MS. and add the bibliographical note reproduced below, but all references in this note to Georgia must be changed to North Carolina, for this ship touched at no continental ports except those on the Cape Fear. The description and note of Messrs. George follow:

"1382 SCHAW (Jen.). 'The following Letters are Dedicated to Alex. Schaw, the Brother, Friend and fellow traveler of the Author, his truly affect. Jen. Schaw. St. Andrews Square, Mar. 10, 1778.' Being about four hundred and fifty pages, narrating a visit to the West Indies and North America in 1774-5, *clearly written (spelling erratic)*. 2 vols. 4°, calf, £10 10s.

"Commences 'Burnt Island Road, on Board the Jamaica Packet'—'nothing can be less Cleanly than our Cabin, unless it be its Commander and his friend and bedfellow the Supercargo.' 'I will not fail to write whatever will Amuse myself.' A rough voyage out, with Scotch emigrants; vessel dismasted; landed at St. John's, Antigua; many walks in and long account of that Island. 'We have seen every Person of fashion, our Toilet is loaded with Cards of invitation.' The women of Antigua are marvels—'I could discover no one indulgence in which they allow themselves, not even in Scandal.' *About 70 pages on Antigua.* Stayed at St. Kitts (Basseterre) some time. Apparently at Brunswick, Georgia [N. C.], the writer was not impressed by the fort—'I will be bound to take this Fort with one Regt. of Edinburgh blackguard Boys, without any Artillery, but their own Pop Guns.' 'I think I have read all the descriptions that have been published of America, yet meet every moment with something I never Read or heard of.' Long account of wanderings in Georgia. [N. C.] 'The Ladies have burnt their Tea in a Solemn Procession (1775).' A good many references of the state of political feeling at the time. Visited 'Wilmington Town'; account of an attempted insurrection there. Very glad to leave on account of the Anti-British feeling. Then to Lisbon: many amusing notes of experiences there.

"This journal is of some considerable value, as containing the daily record of an Englishman's impressions in Georgia and N. Carolina at the period of the Revolution: in spite of the bad spelling, the author evidently had good introductions, and his style is very readable."<sup>1</sup>

### *Sloane Manuscripts.*

No. 3861. "King of England's Territories in America." Paragraphs on Carolina, Virginia, etc., early, topographical.—ffo. 67-62 (reversing the volume).

No. 4063. Letter of John Lawson from Bath County on Pampticough River, N. C., April 12, 1701—fo. 79.

This letter is on natural history collecting, and would indicate that Lawson was sent to Carolina by Sir Hans Sloane and others for the purpose of collecting natural history materials. He adds: "My journal of my voyage through Carolina I shall send to you with the rest."

<sup>1</sup>Messrs. George inform me that this ms. was sold to Vere Langford Oliver, Esq., the author, of a 3-volume folio History of the Island of Antigua (London: Mitchell & Hughes, 1894-99). Under date of Nov. 14, 1913, Mr. Oliver writes me from Whitmore Lodge, Sunninghill, Berks: "Yesterday I went to the British Museum and looked at 'Exerton 2423.' . . . This is a 4° volume labelled on the back: 'Travels in W. Indies and S. Carolina 1774, '75.' It begins 'Burnt Island Road on board the Jamaica Packet 9 o'clock Evening 25th Octr 1774,' and contains 353 pages or 177 folios. My copy consists of two 4° vols. in the original binding with 219 pages in vol. I and 228 pages in vol. II and is in the same handwriting as the Brit. Mus. copy, and it is apparently word for word identical. There may be a few minor differences. . . . It is rather disappointing to discover that the two books are identical, and it is impossible to say without further careful examination which is the original. In fact they are, I think, both of the same date, and clear copies of Miss Schaw's original notes."



No. 4064. Four letters from John Lawson dated as follows:

Portsmouth [Eng.], 9 of 11th mo., 1709, [on medicine and Palatines.]—fo. 214.

Neus River, N. C. Dec. 30, 1710, to Sir Hans Sloane: on natural history collections; Palatines; promises diary from Jan. 1, 1711; promises a more detailed survey of plants, beasts, birds, fishes, insects, fossils, soils, lands and agriculture—fo. 249.

Virginia, July 24, 1711. To Mr. Pettiver on his natural history collections—fo. 271.

Letter from Charles Bernard, London, June 22, 1711, inclosing letter of Lawson (fo. 249) on natural history collections, etc.—fo. 267.

No. 4067, fo. 10. Letter from John Lawson to James Pettiver, March 1, 1709/10 on natural history matters. See *Monthly Mercury*, Nov., Dec. and Jan., 1709/10.

#### *Additional Charters.*

No. 5976. Papers relating to settlement of estate of Robert Halton (d. April 15, 1749), from Gov. Johnston and William Mearns, with letter of attorney from James Craven, administrator, to Thomas Child, Nov. 1, 1751.

#### *Additional Manuscripts.*

No. 6194. Memorandum of a brief description of Carolina. 1660.—Horne's Description, 1666. See Col. Rec., I. 155—fo. 59b.

No. 11514. Essay on Trade in America. To the Right Honorable Earl of Halifax. Signed Henry McCulloh, dated London, December 10, 1756.

McCulloh was Commissioner of quit rents in the Carolinas. See the Index.

No. 15903. Report relative to the English discoveries in Carolina and Florida. 1687—fo. 116.

This is a compilation by Edward Billing, giving some account of the attempted settlement by Lord Maltravers about 1638.

No. 17476. Extracts from McGee's (or Gee's) Trade and Navigation of Great Britain on natural resources of Carolina. p. 12-25, 30, 32, etc.

There are also similar extracts from Lawson and Archdale.

No. 22129. List of North Carolina civil officers. Later than 1771, c. 1780 (?). Gives George Mercer as Lt. Gov—fo. 13.

No. 32686-33057. Various letters addressed to the Duke of Newcastle (in the Newcastle Papers, 32686-33057) from or concerning North Carolina: 32718, fo. 51. 1749. Dobbs to A. Stone on Hudson's Bay.

32730, fo. 301. Dobbs to Newcastle, Nov. 27, 1752, on his appointment as governor of North Carolina.

32711, ffo. 364. Johnston to J. Courand, Apr. 3, 1747, on appointment of Benj. Wheatley as naval officer.

32731, ffo. 177, 338, 410. H. McCulloh to Newcastle; see also 32732, fo. 86; 32862, fo. 394.

32863, fo. 316, on arrears of pay.

32864, fo. 536, May 1, 1756.

32866, ffo. 156, 357, July 13 and Aug. 3, 1756.

32874, fo. 308, Sept. 26, 1757.

Copies of most of the above are in L. C.

- No. 32693. Letter from Lord Carteret to the Duke of Newcastle regarding his proprietary rights in Carolina. Arlington St., Jan. 25, 1739/40—fo. 37. Gives history of the case; asks that his  $\frac{1}{2}$  be set off and joined to Virginia.
- No. 32715. Complaints against Gov. Gabriel Johnston, 1748—fo. 170. Observations on the colony of North Carolina, 1748, and attack on Gov. Johnston—fo. 172.
- No. 32715. Observations on the Colony of North Carolina, together with the conduct of the present governor. By Corbin Morris, c. 1748—fo. 172.
- No. 33028. Account of the number of ships entering in and clearing out from the several ports in North Carolina for the years 1739 and 1745—fo. 400.
- No. 33029. "Plea for the protection of Carolina and Georgia and for conquest of Louisiana." 1756—fo. 357.
- No. 33030. Henry McCulloh asks appointment as naval officer in North Carolina. c. 1745 (?)—fo. 356.
- An account of the number of ships arriving in North Carolina, fees, ports, etc., n. d., no name (by McCulloh?).
- No. 33056. Appointment of William Tryon as Governor of North Carolina from July 19, 1765, and warrant for salary, March 24, 1766—ffo. 54, 202.
- No. 35907 (Hardwick Papers). General account of Carolina boundaries, etc., prior to 1728, unimportant—fo. 22.
- No. 35908. Copy of petition from the Proprietors of Carolina on collecting quit rents, establishing a land register, etc. St. James, June 14, 1726—fo. 156.
- Popple to Yorke, regarding grants by Proprietors in Carolina. June 5, 1730—fo. 241.
- Popple to Yorke, regarding surrender of Carolina by the Proprietors and the effect of the act of Parliament giving validity to the surrender on a certain Carolina case. June 30, 1732—fo. 264.
- No. 35910. Papers relating to Stamp Act, particularly the proposals by Henry McCulloh, Oct. 10, Nov. 8, 1763, etc.—ffo. 136-205, 310-323.
- There is also other material on McCulloh's relation to the Stamp Act which has for North Carolina a biographical interest only, as Mr. W. A. Shaw in his introduction to McCulloh's "Miscellaneous Representations relative to our Concerns in America," 1761, reprinted 1905, claims that McCulloh was solely responsible for the proposal to tax the colonies.
- No. 36129. Commission of George Burrington as governor of North Carolina, Jan. 28, 1729/30—fo. 6.

*Rawlinson Manuscripts, A.*

- These manuscripts include various papers on Dr. Daniel Coxe's claim to Carolina. See No. 271, fo. 26.
- No. 312. Letter from Henry Brabant to Mr. Rod. Mackenzie at the African House in Edinburgh, Aug. 3, 1699—fo. 2.
- Brabant was to embark for Jamaica and thence proceed to North Carolina, "of which province I am constituted comptroller of his Maj. Customs." To be addressed either in Jamaica or "at the customhouse on Currotuck River in North Carolina."

*Rawlinson Manuscripts, B.*

No. 243. "Points of enquiry concerning Carolina. Humbly offered to his excellency, John Archdale, proprietor of Carolina, dutyfully craving such answers as may be depended on." 1705—ffo. 12-14 b.

Two hundred and twenty-eight queries of every description, but no answers. They were put by a body of Lutheran settlers intending to go to Carolina. These queries were probably the basis for Archdale's Description of Carolina, published in 1707, and republished in Carroll's Collections. I venture to suggest that the original of the answers to these queries may be the Archdale manuscript owned by the late Charles Roberts of Philadelphia and now presumed to be in the Friends' Library at 142 North Sixteenth Street, Philadelphia, Pa. (See Reports Amer. Hist. Asso., 1904, p. 678; see also my Southern Quakers and Slavery, p. 351, and this paper, Chapter III, D. German Archives). If this supposition is correct, the answers have but slight historical value. Accompanying these Queries is "A Draft of ye Forts of Carolina."

No. 376. Bond of John Urmston, given to the Bishop of London to go to Virginia to serve as chaplain there. June 25, 1722—fo. 286.

d. THE STEVENS FACSIMILES AND THE STEVENS INDEX.

*Stevens Facsimiles.*

The Stevens "Facsimiles of Manuscripts in European Archives Relating to America, 1773-1783," with descriptions, editorial notes, collations, references and translations, with a printed index (1898), contains some North Carolina material, although of perhaps relatively slight importance.

In this may be noted:

No. 872. Garnier to Comte de Vergennes on defeat of Tories at Moore's Creek.

No. 1238. Proclamation of Commodore Hyde Parker and Lt. Col. Archibald Campbell to the people of North and South Carolina and Georgia, Jan. 4, 1779.

No. 1239. Oath to be taken by Loyalists.

No. 1616. Chevalier de Fleury's Report on the Situation in America, Nov. 16, 1779.

*Stevens Index.*

Of more importance to North Carolina than the Facsimiles is the Stevens "Catalogue Index of Manuscripts in Archives of England, France, Holland and Spain relating to America, 1763-1783."

This is a manuscript work and appears in three forms:

Catalogue arrangement, bound in 50 vols.

Chronological arrangement, 100 vols.

Alphabetical arrangement, 30 vols.

It contains references to much North Carolina material. A part of this, as the assembly and council journals, has been printed and a small amount is included in the Transcripts, but most of it has been neither copied nor printed. See, for example, letters of Josiah Martin there mentioned; the references under Lands and also the entries under C. O. 5, v. 93, *ante*. Some Cornwallis material on the Guilford Court House battle is also mentioned, including list of wounded left, number of wounded made prisoners, articles received for prisoners and list of men who died there.

### III. NORTH CAROLINA MATERIALS IN THE VIRGINIA STATE LIBRARY.

The greater part of this material is in the form of full copies or copious abstracts made at different times for the State of Virginia from the originals, many of which are preserved in the British P. R. O. See, in particular, C. O. 5, Nos. 1305-1446. The references to North Carolina are in many cases incidental, but still of sufficient importance to commend examination and consideration.

The Virginia State Library published in 1905 as the annual Report of the Department of Archives and History a Calendar of these Transcripts.

It has seemed desirable to present in the briefest possible form a list of these documents which promise North Carolina material and which seem not to have been printed in our Colonial Records. The Virginia arrangement has been retained here. It is also possible that many of these items have been copied for the Library of Congress.

#### *A. Sainsbury Abstracts, II. 1624-1714.*

1698-9. Feb. 27. Gov. Nicholson to Board of Trade on settling bounds with North Carolina.

1700. Jan. 27. William Popple sends by order Board of Trade commission to Gov. Nicholson for trying pirates in Virginia, North and South Carolina.

#### *Sainsbury Abstracts, III. 1715-1720.*

1715. Aug. 30. Journal Board of Trade on assistance rendered Carolina by Virginia forces.

1715. Sept. 16. Same to Secretary Stanhope on Indian affairs in Carolina.

1716. Aug. 17. William Popple to Richard Shelton on Gov. Spotswood's complaints against Carolina.

1716. Dec. 5. Committee of Carolina Assembly to the agents on Indian affairs.

1717. June 27, 28. Journal Board of Trade on Carolina and Virginia.

1717. Aug. 29. William Popple to Richard Shelton on Virginia and North Carolina boundary line.

1717. Aug. 29, 30. Journal Board of Trade on same.

1717. Aug. 30. Board of Trade to Gov. Spotswood on same.

#### *Sainsbury Abstracts, IV. 1640-1691.*

1690. July 19. Philip Ludwell to Gov. Nicholson on behavior of John Gibbs in North Carolina.

1691. Nov. 6. Col. Thomas Milner to Gov. Nicholson on North Carolina line.



*Sainsbury Abstracts, V. 1691-1697.*

- 1691-2. Feb. Petition of Proprietors of Carolina to Committee on Plantations in regard to boundaries of Carolina and Virginia.
- 1691-2. Mar. Report of Thomas Milner to Governor and Council of Virginia on North Carolina line.
1696. June 18. Petition of William Bowtell and Thomas Wenborne to Virginia council in regard to estate of Seth Sothell, who died indebted to them and whose estate is now in hands of John Lear.
- 1696-7. Feb. 25. Commissioners of Customs to Board of Trade, recommending persons for judge, etc., of admiralty court of Virginia and North Carolina.

*Sainsbury Abstracts, VII. 1705-1707.*

1705. Apr. 20. Circular letter from Board of Trade to Governor of Virginia with commission to try pirates in Virginia and North Carolina.
1706. Nov. 8. Jenings to Board of Trade on lands claimed by North Carolina.
1707. Mar. 26. Board of Trade to Virginia President and Council on North Carolina boundary.

*Sainsbury Abstracts, VIII. 1706-1712.*

1708. June 24. Jenings to Board of Trade on encroachments by Carolina.
1708. Nov. 10. Board of Trade to Proprietors of Carolina on interruption of Virginia trade with western Indians.
- 1708-9. Jan. 5, 7. Journal Board of Trade on North Carolina boundary.
- 1708-9. Jan. 7. Board of Trade to Queen on same.
- 1708-9. Jan. 12. Board of Trade to Jenings on same.
- 1708-9. Jan. 24, 27. Board of Trade to Proprietors of Carolina on same.
- 1708-9. Feb. 2. Same to same on Virginia Indian trade.
- 1708-9. Mar. 7. Proprietors of Carolina to Board of Trade on North Carolina boundary.
- 1708-9. Mar. 11, 14. Journal Board of Trade on same.
1709. July 27. Board of Trade to Jenings on North Carolina boundary and debtor act.
1709. Oct. 8. Jenings to Board of Trade on North Carolina boundary and removals to North Carolina.
- 1709-10. Jan. 19. Board of Trade to Jenings on Carolina duties and boundary.
1710. Apr. 4 and June 10. Jenings to Board of Trade on same.
1710. Aug. 28. Board of Trade to Spotswood on Carolina troubles.
1710. Dec. 15. Spotswood to Board of Trade on same.
1711. Nov. 29. Board of Trade to Dartmouth on North Carolina Indians.
1711. Nov. 29. Journal Board of Trade on Indian massacres in North Carolina.
1711. Dec. 4. Proprietors of Carolina to Board of Trade on Indian massacre.
1711. Dec. 6. Board of Trade to Proprietors on same.
- 1711-12. Feb. 1. Same to Governor Spotswood on Carolina disputes.
- 1711-12. Feb. 8. Spotswood to Board of Trade on Carolina disputes, proposed removal of DeGraffenried's Palatines to Virginia and the necessity of coöperation for defense between Maryland, Virginia and Carolina.

1712. Dec. 11. Journal Board of Trade on DeGraffenried's removal.  
 1712. Dec. 19. Board of Trade to Queen on North Carolina boundary.  
 1712-13. Jan. 8. Order in Council on commissioners to settle boundary with Carolina.  
 1712-13. Feb. 4. Journal Board of Trade on Virginia's assistance to North Carolina.  
 1712-13. Feb. 5. Same, with letter to Proprietors on assistance against Indians.  
 1712-13. Feb. 5. Board of Trade to Proprietors, with extracts from Spotswood's letter in regard to Indians.  
 1712-13. Feb. 11. Spotswood to Dartmouth on miseries and distractions in North Carolina.  
 1712-13. Feb. 26, 27. Journal Board of Trade, with Spotswood's letter on Indian massacres in North Carolina.  
 1712-13. Feb. 27. Board of Trade to Proprietors on Spotswood's letter on trade with Indians.  
 1713. Apr. 23. Same to Spotswood on boundary and disorders in Carolina.  
 1713. July 20. Same to same, commending his charitable treatment of the Carolinians in their distress.  
 1713. Sept. 14. Spotswood to Board of Trade on dispersing of the Tuscaroras.

*Sainsbury Abstracts, IX. 1720-1730.*

1723. June 29. Lt. Gov. Drysdale to Board of Trade on North Carolina boundary.  
 1723. Nov. 12. Journal Board of Trade on same.  
 1723. Nov. 12. Alured Popple to Richard Shelton on same.  
 1724. May 19. Board of Trade to Drysdale on same.  
 1724. July 10. Drysdale to Board of Trade on same.  
 1725. May 31. Same to same on same.  
 1725. Aug. 26. Journal Board of Trade on same.  
 1726. June 22, 23. Same from same on same.  
 1726. June 30. Board of Trade to Drysdale on same.  
 1726. July 5, Aug. 31. Journal Board of Trade on same.  
 1726. Aug. 31. Board of Trade to King, asking order on same.  
 1727. May 4. Journal Board of Trade. Order in Council on same.  
 1727. Sept. 21. Lt. Gov. Gooch to Board of Trade on appointment of Wm. Byrd and Nath. Harrison as boundary commissioners.  
 1727-8. Feb. 12. Same to same on same.  
 1727-8. Feb. 14. Same to Newcastle on same.  
 1729. March 26. Same to Board of Trade on same.  
 1729. Aug. 26, Nov. 6. Journal Board of Trade. Warrants to be sent with new seals to Barbadoes, Jamaica, Virginia and Carolina. Letters transmitting same.

*Sainsbury Abstracts, X. 1573-1618.*

Many documents relating to the movements which preceded the expeditions of Raleigh, 1584-91.

*Sainsbury Abstracts, XVII. 1677-1679.*

1677. Oct. 9. Petition of Sarah, widow of William Drummond.  
 1677. Oct. 9, 10. Minutes of committee of Trade and Plantations in regard to this petition.

1677. Oct. 10. Report of committee of Trade and Plantations to King on same.
1677. Oct. 10. Petition of Sarah Drummond.
1677. Oct. 13. Sir Robert Southwell to Sir John Berry on same.
1677. Oct. ? Petition of Sarah Drummond to King.
1677. Oct. 19, Nov. 2. Order of Privy Council in regard to Sarah Drummond's petition.
1678. June 8. Orders of the General Court in regard to Sarah Drummond.
1678. July. Petition of Sarah Drummond to Governor and Council.
1678. July 8. Sarah Drummond to Colonel Morýson.
1678. Sept. 18. Colonel Morýson to Mr. Blathwayt in regard to Mrs. Drummond's case.

See also the McDonald Papers, vols. 1 and 5, for some of these Drummond documents in full and also for Sir John Berry's letter to Sir Robert Southwell on same (Oct., 1677).

#### *B. De Jarnette Transcripts.*

In 1870, D. C. De Jarnette, Special Commissioner appointed to ascertain the extent of original papers bearing upon the boundary line between Virginia and North Carolina, transcribed and compiled two volumes of documents, with indices. These volumes contain also many other papers general in character. Among them, in I:

1630. May 15. Articles of agreement between Lord Berkeley and William Boswell, Samuëll Vassell, Hugh L'Amy and Peter de Licques for the settlement of Carolina in 34, 35 and 36 degrees of north latitude.

#### *C. McDonald Transcripts.*

These were made in 1860 by Angus W. McDonald, original commissioner appointed to determine the extent of the documentary material on the disputed North Carolina boundary. Volume I, 1619-1626, contains:

1630. March (?). Rules for those who go to live in Carolina.
- 1629/30. Mar. 19. Articles agreed upon between Attorney General Heath and DeLance respecting the settlement in Carolina.
- Various manuscript maps of the boundary line between Virginia and North Carolina, dated 1728, 1747, and printed maps of later dates.

#### *D. Aspenwall Transcripts.*

These transcripts contain much material relating to the Cherokee Indians, 1757-1772. They were purchased by the State of Virginia at the Barlow sale.

#### *E. Sparks Transcripts.*

Selections from the Virginia Council Chamber Papers made by Jared Sparks in 1826. Volume I, 1773-1781, contains:

1780. Dec. 31. General Greene to Governor Jefferson (extract).
1781. Feb. 2. Thomas Jefferson to Governor Nash of North Carolina.
1781. Feb. 10. Thomas Jefferson to General Greene.
1781. Feb. 17. Same to same (extract).
1781. Apr. 5. Same to same (extract).
1781. Feb. 10. Same to same (extract).
1781. Feb. 15. Same to same (extract).
1781. Feb. 15. Same to Baron Steuben (extract).
1781. March 10. Same to Governor Jefferson (extract).

1781. March 16. Same to same (extract).  
 1781. March 27. Same to same (extract).  
 1781. March 31. Same to same (extract).  
 1781. June 21. Same to same (extract).  
 Other letters of General Greene of perhaps equal value.

#### IV. MISCELLANEOUS UNPUBLISHED MATERIALS IN PUBLIC AND PRIVATE HANDS IN NORTH CAROLINA AND ELSEWHERE.

##### A. IN THE STATE OFFICES.

###### *Treasurer's Office, Ledger A, 1779-1785.*<sup>1</sup>

This large volume contains the accounts of the State with William Blount as paymaster (giving detailed account of payments to soldiers), 1779-1780; the account with Robert Bignall, commissioner of trade, 1780-1782; with Benjamin Hawkins as commercial agent, 1779-1780, as commissioner of trade, 1780-1781, and as delegate in Congress, 1782 (some of this now printed); and the accounts with the treasurers, auditors, commissioners, etc., for the various counties and districts.

###### *State Library.*

One volume of indentures, bonds, grants, etc., 1766-1768, 1784. This volume appears to have been left in the Secretary's office for recording lands, indentures of land, certificates, etc. Most of the records of this description are in 1766-1768, although some few are of earlier date. In the back of the volume are grants of land to individuals numbered 142 to 211 signed for the State by Gov. Alexander Martin, and all dated November 2, 1784.—Leland's Notes.

###### *Secretary of State's Office.*

This office contains the records of land grants extending from 1693 to date in about 190 volumes. Much of this material has been printed; more should be. The State of Pennsylvania a few years ago printed the complete list of her land grants down to the date of the publication of the volume. See also Land Grants under I. A. a. in this chapter.

Besides the lists of grantees of lands to be found in England and in the Secretary of State's office, there are also county lists of similar character, *c. g.*,

- Chowan, 1796-98.
- Craven, 1783-96, and later.
- Perquimans, 1734-76, and later.
- Rowan, 1753. to date, but with omissions.
- Brunswick, 1789-1815.
- Onslow, 1790 to date.
- Carteret, 1713 to date.

<sup>1</sup>About seven years ago and at the instance of the Bureau of Historical Research of the Carnegie Institution, Mr. Waldo G. Leland made an historical survey of the manuscripts to be found in North Carolina. The major part of his Notes is reproduced herewith, including all of those referring to eighteenth century material and many of later date. These Notes have not been published, and for their use I am indebted to Dr. J. Franklin Jameson, director of the Bureau of Historical Research. Sections A, B, and C, following, are based mainly on Leland's Notes.



Various muster rolls, 1797-98.

Lists of justices of the peace in various counties, 1800-9.

Correspondence of W. R. Davie relating to his mission to France, 1799-1800.

Records of the colonial port of Roanoke, 1732-1748.

For the uses of economic history these records must be of much value.

#### *Auditor's Office.*

In this office there are a considerable number of volumes dealing with the financial side of the Revolution, including the accounts of North Carolina with the United States, Army accounts, Public accounts of the State, Receipts for money paid to officers, Settlements of army accounts, etc., etc. It is a safe premise that papers and records hidden here will yet show honorable contributions to the cause of American liberty by men who never bore arms, and while their service was less spectacular, it was no less important.

It is known also that some material of this character is extant in the counties, *c. g.*, Craven (See Report Amer. Hist. Asso., 1904, p. 606).

#### *Historical Commission.*

Mr. Charles L. Coon has also recently uncovered for students in his two volumes entitled "The Beginnings of Public Education in North Carolina: A Documentary History, 1790-1840," a hitherto little known class of sources in the unpublished legislative documents accumulated by the assembly from year to year in the shape of petitions, bills, reports, etc. These documents often failed to serve the end for which they were intended by their authors, but in the progress of thought, the history of things it was sought to accomplish is only of less significance than the things which were really accomplished.

It is not necessary in this connection to say more than merely refer to the documents and other papers, both *ante* and *post* Revolutionary, which are being accumulated by the Historical Commission. Its collections include the Iredell Correspondence, largely published already and deposited as a loan by the owner; letters of James Murray, 1760-1796; transcripts of papers of Richard Henderson; copies of letters from the autograph collection of George C. Thomas, including letters and documents from Penn, Caswell, Davie, Hawes, Martin and others.

### B. THE UNIVERSITY OF NORTH CAROLINA.

The following account of the manuscripts in possession of the University of North Carolina is based on Leland's Notes. Much of this material has been printed (as indicated), and much is of the nineteenth century, but the account is thought worthy of being printed here pretty much as given by Mr. Leland.

#### *1. Murphey Papers.*

The story of these papers as given by Dr. Battle is as follows:

The collections of Judge A. D. Murphey which were not used for a history, as was intended, were deposited in the Cape Fear Bank in Raleigh. Gov. D. L. Swain procured the collection and brought it to Chapel Hill. At his

death it went (including the Caswell Papers) to his widow, who held on to them. An act of the Legislature was passed to secure them for the University of North Carolina, but they were not recovered. The papers of value, for their autographs, were sold to Dr. Thomas Addis Emmet of New York. Col. Saunders took what he wanted for the Colonial Records, and the remainder went to Chapel Hill, where they are now.

These Papers are now in course of publication under the editorship of William Henry Hoyt.

## 2. *Council Journals, 1772-1775.*

A book of 72 pages, together with a bunch of 4 loose leaves, which seem to be the rough journal or minutes of the Council acting in its executive capacity. Many, perhaps the larger part, of the entries are not printed in North Carolina Colonial Records. A number of the entries are for the Council sitting as a court of claims. The following dates are those on which the entries are made:

1772. May 16, 18, 19, 20, 22, 23.

1773. January 11,\* 16,\* 19,\* 22,\* 25,\* 26,\* 29;\* February 4,\* 6, 11;\* March 9, 13, 16, 19, 21, 24; June 28 (order in Council of April 7 entered under this date. See Col. Rec., vol. 9); December 6, 18, 21, 22.

1774. March 8, 12, 15, 16, 19, 23, 26, 28; April 20; July 14,\* 15,\* 16, 18, 20, 23, 25; August 12 (Privy Council), 13 (Privy Council), 25.

1775. February 23, 24, 26, 27, 28; March 1, 2, 3, 9, 11, 14, 15, 17, 21; April 11, 12, 24.

A comparison with the Colonial Records would seem to indicate that more of this material is printed than Mr. Leland thinks.

## 3. *Letters from Henry E. McCulloh to Edmund Fanning, 1765-1770.*

These 21 letters are mostly personal, touching somewhat on business affairs, and occasionally on politics. Many of them are very racy and throw some light on the private life and character of the correspondents. They are dated:

1765. February 10; March 1; July 20; December 20, 21.

1766. January 10, 30; February 27; March 27; June 15.

1767. January 1, 25; September 12.

1768. January 26.

1770. June 20.

No date, 5 letters.

Letter from John Frohock to Edmund Fanning, April 27, 1764.

## 4. *Jethro Sumner Papers, 1779-1783.*

Probably all printed in North Carolina State Records.

## 5. *Thomas Burke Papers.*

These papers, of which the greater part has been printed, consist of:

- (1) Letter book of Governor Burke, July 10-20, 1781, containing letters to Caswell, Nathanael Greene, General Jones, General Sumner and others, some of which are in Burke's own hand. Only one of these, that to Sumner, July 20, 1781, is printed. The letters are of considerable value.

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\*Council sitting as Court of Claims.

- (2) A large number of drafts of letters of Governor Burke, 1781-1782; many of these are in Burke's hand and are to various persons. With three or four exceptions, all have been printed in North Carolina State Records. Mention may be made of a letter to Governor Harrison of Virginia, March 22, 1782, and of a long and interesting letter (not complete) dated "Within the British lines, Wilmington, Oct. 17, 1781," which contains an account of his treatment and experiences as a prisoner.
- (3) Miscellaneous papers of Governor Burke, such as messages, proclamations, etc., and a journal of his official acts from April 4 to 21, 1781. Most of these, including the journals, are printed in North Carolina State Records.
- (4) Drafts of three or four personal letters to relatives and friends in Ireland.
- (5) A small memorandum book in Burke's hand, ranging from 1772 to 1780, containing reminders of purchases, scraps of accounts, a short list of "subjects for further correspondence with the Governor of North Carolina," made out while Burke was in Congress; and accounts of his expenses as a delegate; expenses at Baltimore; expenses at Philadelphia, March 8-July 7, 1777; expenses of journey from Philadelphia to North Carolina and account of cash expended at Congress, 1777-1780.
- (6) Draft in Burke's hand of a committee report in Congress, recommending that negroes be armed and enlisted in North Carolina; draft of abstracts of debates in Congress, Feb. 8, 1777.
- (7) Letters from Samuel Johnston to Thomas Burke, May 24, 1779; April 1-Aug. 9, 1783 [the last comments on the removal of Congress to Princeton].
- (8) A small bundle of papers relating to the settlement of Burke's estate, 1783-1789, including letters of his executor, James Hogg, deeds, indentures, bills, accounts, etc., etc., with a memorial of James Hogg to the Assembly, praying for a grant to Burke's family to cover his expenses while a prisoner.—Leland's Notes.

Most of the material included under 1, 2, 3 and 7 seems to have been published.

#### 6. *Legislative Papers, 1782-1812.*

These appear to be original legislative papers, such as belong in the archives of the General Assembly:

- (1) List of papers laid before the General Assembly, April 16, 1782.
- (2) Memorial of the magistrates of New Hanover County to the General Assembly, June, 1784.
- (3) "Report of the committee appointed to inquire into the expediency of keeping a body of militia stationed at the frontier of this State." Signed by Willie Jones [no date] (published).
- (4) Two small bundles of reports of committee on Propositions, Petitions and Grievances, 1798-1803, 1812.
- (5) A small bundle of about 50 papers consisting of resolutions, committee reports, etc., 1799-1808.

#### 7. *Land Entry Book for Rutherford County, 1779-1780.*

This volume is a copy.

### 8. *DeRosset Papers.*

Transcripts made by Louis H. DeRosset about 1880 while investigating matters of family interest. Most of these have been printed in the Colonial Records. The following have apparently not been printed:

Tryon to Hillsborough, Feb. 5, 1771, relative to manufactures (A. W. I. 92, No. 62).

Same to same, Feb. 6, 1771. Transmitting a list of land patents granted at a court of claims, held Nov. 30, 1770. Abstract of the list is given in the transcript (A. W. I. 92, No. 63).

Same to same, Mar. 10, 1771. Transmitting the journals of the council sitting as the Upper House of Assembly (A. W. I. 92, No. 66).

Same to same, April 13, 1771. Transmitting council minutes (A. W. I. 92, No. 71).

Council minutes, Feb. 13, 1771 (A. W. I. 92, No. 71).

Council minutes, April 15, 1771 (A. W. I. 92, No. 75).

Tryon to Hillsborough, June 30, 1771. Transmitting list of land patents, being a continuation of the list transmitted on Feb. 6, 1771. An abstract of the list is given in the transcript (A. W. I. 92, No. 76).

Petition of Inhabitants of Orange Co. to Gov. Tryon. Delivered to Tryon at Alamance Camp, May 15, 1771. May 15, 1771 (A. W. I. 92, No. 77).

### 9. *Caswell Papers.*

The Caswell Papers have two letters of Caswell to ———, dated April 20, and July 15, 1777, which seem not to have been published. The other letters mentioned in Leland's Notes have been published in Colonial and State Records.

### 10. *Rowan County Court Docket, 1769.*

This is the reference docket for the August term. It gives the names of the cases, indicates the writs, sheriff's returns and orders of the court. In short, it is a brief summary of the court's work for the term.

### 11. *Tryon County Entry Book, 1772.*

A book of 16 pages kept by John Kirkconell, showing the situation of each land grant, the number of acres and the name of the warrantee.

### 12. *British Debts.*

A book entitled "Proceedings in the Special Agency." It contains detailed items in the claims of Alexander Munn and Alston Young, with comments as to their validity by the special agent appointed to examine claims arising under the 6th article of the treaty with England of 1783. Of considerable interest as illustrating the operation of the 6th article of the treaty.

### 13. *Instructions to Indian Commissioners.*

Copy of instructions from Gov. Alexander Martin to Brig. Gen. McDowell, Col. John Sevier and Waightstill Avery, commissioners to treat with the Cherokee and Chickamauga and other Indians. n. d.

### 14. *Poem by Gen. Robert Howe.*

Copy of poem, said to have been by Gen. Howe, addressed to a lady of Charleston, S. C., and taken down from memory.



15. *Land Grants.*

Miscellaneous papers relating to land holding: grant from King to Earl Granville; grants from Granville; various grants from the King; Revolutionary grants, etc.—Leland's Notes. Descriptions are not full enough for me to tell if any of these have been printed.

16. *List of Taxables.*

Pitt County in 1763. A certified contemporaneous copy.

Same for New Hanover Co. List of taxables for St. James and St. Philip's parishes. 1763. Shows number of white men and of negro men, women and boys.

17. *University of North Carolina.*

Many papers relating to the University of North Carolina. The bound volumes date from 1791 and relate to vacancies, claims, fiscal affairs, administrations, etc.

18. *Letters to Gen. Henry William Harrington.*

A few not very important letters from John (Gen.?) Caswell, J. F. Grimké and C. C. Pinckney, 1783, 1784, 1789, 1796.

The Grimké and Pinckney letters perhaps all printed.

19. *Nathaniel Macon.*

Letter to William Person Little, Philadelphia, Feb. 17, 1800, dealing with congressional affairs, French Revolution, etc. See also the Sprunt monographs for Macon Letters.

20. *North Carolina Debt, 1781-1789.*

A mutilated list of the certificates issued and received on account of the debt of North Carolina, 1781. Remarks by Abishai Thomas, one of the commissioners, on the amount of the certificate debt of North Carolina, 1789.

21. *Stephen Cabarrus.*

Letter to Standing Committee of Cabarrus County, Jan. 11, 1794.

22. *Revolutionary Papers.*

A large collection of miscellaneous papers, mostly military, which have been examined for the State Records, most of the important ones being published. There are letters from John Butler, James Iredell, Robert Rowan, S. Drayton, J. B. Ashe, Samuel McKensie, Alex. Martin, William McClure and others. Also an unpublished letter of Lafayette to ———, of May 14, 1781, on operations against Cornwallis in North Carolina, also 8 letters of Greene, 1781-1783, and a copy of his address to the people of Salisbury District, and a few transcripts.

23. *John Steele Papers.*

These papers were given to the University by the will of Gov. Swain. They consist of letters to Steele, drafts of letters from him and a mass of miscellaneous materials, such as bills, accounts, receipts, etc., in all over 1,000 documents, 1787-1815.

They deal with the settlement of estates of which he was executor; his duties in connection with the Cape Fear Bank; his duties as Comptroller of the Treasury, 1796-1802, and as commissioner on the boundary line between the Carolinas.

The more important of these papers are the following:

- a. Twenty-one letters from William R. Davie, 1792-1814, on public affairs, politics, election of 1801, Federalism in North Carolina, etc.
- b. Drafts of reports by Steele as commissioner on the South Carolina boundary line, July 2, 1807, and July 27, 1808, made to the Governor of North Carolina, with accompanying papers, considerable correspondence, together with a joint report to Gov. Hawkins, Sept. 20, 1813.
- c. Twenty-nine letters from John Haywood, 1800-1809, relating to fiscal affairs, politics and personal matters.
- d. About 20 letters from Nathaniel Macon, now printed in the Sprunt monographs, 1902.
- e. Fiscal affairs pertaining to his duties as Comptroller of the Treasury, 1796-1802.
- f. Papers relating to Indian affairs in 1789. These include a draft of the Cherokee treaty of 1789 and a long letter on that treaty from William Blount, dated May 5, 1789.
- g. Correspondence with Judge Grimké, William Ruffin, William Polk (Aug. 27, 1802), William Barry Grove (Dec. 12, 1794).
- h. Steele to Joseph Winston on congressional matters, New York, May 22, June 20, July 20, 1790.
- i. Circular letter of Steele, dated Philadelphia, Feb. 7, 1792, being a general account of congressional affairs.
- j. Steele to Davie, Nov. 26, 1809, on relations with Great Britain (draft).
- k. Jos. Pearson to Steele, June 8, 1809.
- l. John Kinchen to Steele, Jan. 27, 1786.
- m. James (Jos.?) McDowell to Steele, Jan. 12, 1795, on Steele's acts in Congress.

#### C. MISCELLANEOUS PAPERS MOSTLY IN PRIVATE HANDS.

*Blount Papers: owned by Hon. Armistead Jones, Raleigh, N. C.*

The Blount Papers number about 100 or more and are mostly between 1780 and 1800, with a few earlier and later. They relate to John Gray Blount, James Blount, William A. Blount, and Thomas H. Blount and others. The papers between 1780 and 1800 consist of indentures, deeds, receipts and other legal papers. There is a letter from William Palmer to John Gray Blount, dated at Bath, April 14, 1786; relates to private business.

These papers seem to have been associated with the Branch Papers and to have come into possession of the present owner by marriage.—Leland's Notes.

*Iredell Manuscripts: owned by Col. Charles Earl Johnson, Raleigh, N. C.*

The Iredell manuscripts, consisting of the papers and correspondence of James Iredell (1750-1799) and his son, James Iredell, Jr. (1788-1852).

are owned by Col. Charles Earl Johnson of Raleigh. The Papers of the elder Iredell contain about 8,000 manuscripts, of which the more important were printed in McRee's *Life and Correspondence of James Iredell* (2 v., New York, 1857-58), but there are doubtless many unpublished papers of value to the social historian.

The papers of Gov. Iredell extend from 2,000 to 4,000 in number and cover the first half of the nineteenth century.—Leland's Notes.

*Miscellaneous Papers: owned by Mr. W. C. Bain, Greensboro, N. C.*

Large leather-bound volume of mercantile accounts, consisting of journals, records of sales of goods, etc., kept at Wilmington, N. C., 1767 to 1795.

Invoice Book, outward and inward, of Hogg & Clayton, Charleston, S. C., 1762-1766, contains accounts of dealings with "Messrs. Grubb & Watson, merchants in London."

Invoice Book, outward, of Robert and John Hogg, Charleston, S. C., 17 June, 1767 to 1782. Gives list of goods shipped by Richard Grubb at Bristol.

Day Book of Hogg & Clayton, merchants and shippers, Charleston, S. C., July, 1764, to May, 1766.

These books were found in the "Norwood House" in Hillsboro, N. C., about 1892. "with many similar volumes probably now destroyed."—Leland's Notes, quoted from Mrs. P. B. Hackney, Greensboro, N. C.

*In possession of Y. T. Ormond, Kinston, N. C.*

Miscellaneous family papers, mostly local, but containing also a contemporaneous account of the battle of Alamance.

*In possession of Professor E. Vernon Howell, Chapel Hill, N. C.*

Original ledgers dealing with the financial side of the Transylvania Purchase, with letters from Boone and other adventurers.

*In possession of Stephen B. Weeks, Washington, D. C.*

Roster of Col. Charles Polk's company of militia, 1776, 1779 (copy).

Account book of mercantile firm in Wilmington, 1767.

Commission of Daniel Akehurst as secretary of that part of Carolina north and east of the Cape Fear, Feb. 8, 1692/3.

Land grant, c. 1700.

Letter of John Lancaster, Pasquotank County Tory, c. 1783.

A great mass of manuscript material dating from the first years of the nineteenth century.

*Guilford Battle Ground Association Museum, Greensboro, N. C.*

Ledger kept in Bute Co., N. C. (now Warren), 1769-1775, with records of sales of "grogg," "toddy," etc. Believed to be the account book of Jethro Sumner, later a Brigadier General in the American Revolutionary Army.—Leland's Notes.

*Trinity College, Durham, N. C.*

Farabough Papers. Contain some materials illustrating prices between 1764 and 1815.

Slade Papers. These are the papers of General Jeremiah Slade and are mainly between 1800 and 1850. They include the papers of General Slade in his dealings with the Tuscarora Indians in relation to the money owed them by the State of North Carolina, accounts, receipts, correspondence, 1803-1818.

Legal papers, indentures, contracts, deeds, wills, etc., 1750.

"A Journal of a Journey from Williamston, Martin County, N. C., to Nashville, Tennessee, commenced on the 27th day of June, 1819."

Various economic papers, 1805-1870.—Leland's Notes.

#### *Guilford College.*

Besides the Church records mentioned elsewhere, there is in possession of the college one volume of Minutes of the General Association of the Manumission Society of North Carolina.

This extends from July 19, 1816, when the first meeting was held at Center Meeting House, to July 25, 1834. These societies were probably organized by Charles Osborne, a native of North Carolina. They contain reports, memorials to the assembly, etc.—Leland's Notes.

#### *Masonic Records.*

It is perhaps proper to mention here the fact that a number of Masonic lodges were chartered in North Carolina prior to the close of the eighteenth century. The records of at least one of these lodges (Royal White Hart at Halifax, dating from 1765) have been preserved from the beginning, and doubtless contain material of general interest that would well repay the labor of selection and the cost of printing.

#### D. STATE AND OTHER NEWSPAPERS DOWN TO 1801.

It is probable that some material of historical value—perhaps not very much, however, in actual amount—may be gleaned from the newspapers of Charleston, S. C., Williamsburg, Va., and from some of those still further to the north. The Historical Commission has already made a good beginning along this line. The work should be pushed systematically and thoroughly, as Mr. Salley has done for South Carolina, Mr. Nelson for New Jersey, and as Mr. Lyman Horace Weeks is undertaking to do in his *Historical Digest of the Provincial Press* (Mass. Series, vol. 1, 1911).

All newspapers published beyond the confines of the State should be examined so far as their contents promise results. The North Carolina newspapers, certainly all of those of the eighteenth century, known to be in existence, should be located and all material of State or local interest copied.

The following tentative list of eighteenth century North Carolina newspapers, with their location, has been compiled:



*British Public Record Office, London.*

*Newbern.*

Friday, April 15, 1757 THE

[Numb. 103]

### NOTH CAROLINA GAZETTE.

A printed newspaper, 4 pp. In C. O. 5, v. 18, p. 173. Older than the copy (No. 200) in the American Antiquarian Society.

1765. Nov. 20, 27 (Nos. 58, 59).

1766. Feb. 12, 26 (Nos. 70, 72).

1769. Nov. 10 (No. 73).

1774. Sept. 2 (No. 287).

1775. Feb. 24, Apr. 14 (Nos. 312, 319).

In Dec., 1755, James Davis issued the North Carolina Gazette in Newbern. In September, 1764, Andrew Steuart issued in Wilmington the first number of the North Carolina Gazette and Weekly Post Boy. I am inclined to believe that the papers listed above are all copies of Davis's journal, although the running numbers would at any rate indicate a new series. See, also, under Massachusetts Historical Society.

*Wilmington.*

Cape Fear Mercury:

1773. Dec. 29 (No. 204).

1775. July 28, Aug. 7, 11, 25, Sept. 1 (Nos. 266, 267, 268, 269, 270).

Established by Adam Boyd, Oct. 13, 1769. For the exact location of these newspapers in the B. P. R. O., see Stevens's Index, alphabetical.

*American Antiquarian Society, Worcester, Mass.*

*Edenton.*

State Gazette of North-Carolina. Printed by Hodge & Wills:

1792. Mar. 30 (vol. 7, no. 324).

1793. May 11, 25, June 1, Aug. 17, Sept. 21 (vol. 8, nos. 382, 384, 385, 396, 401).

1794. Jan. 4, 31, Feb. 7, May 2 (vol. 8, no. 416; vol. 9, nos. 420, 421, 433).

1796. Jan. 14, Feb. 4, Mar. 3, May 19, June 2 and extra, 16, 30, July 7, Oct. 20, 27, Dec. 22, 29 (vol. 11, nos. 522, 525, 529, 540, 542, 544, 546, 546 [sic], 561, 562, 563, 564).

1797. Jan. 5, 12, 19, Mar. 16, June 22, 29, July 13, 27, Aug. 10, Sept. 7, Nov. 2, Dec. 21 (vol. 11, no. 572; vol. 12, nos. 573, 574, 582, 596, 597, 599, 601, 603, 607, 615, 622).

1798. Mar. 1, May 10, 24, July 4, Aug. 29, Oct. 31, Dec. 26 (vol. 13, nos. 632, 642, 644, 650, 658, 668, 674).

1799. Jan. 2, 23, 30, Feb. 20 (vol. 13, no. 675; vol. 14, nos. 672 [sic], 673 [sic], 676 [sic]).

*Fayetteville.*

The North-Carolina Chronicle; or Fayetteville Gazette:

1790. Feb. 1, May 10, 24, 31, June 7, July 19 (vol. 1, nos. 23, 35, 37, 38, 39, 45).

Established by Sibley & Howard, Aug. 24, 1789, w.

Continued as Fayetteville 'Gazette:

1792. Jan. 12, Aug. 7, Sept. 25, Oct. 2, 9, 16, 23, 30, Nov. 6, 27, Dec. 11 (vol. 1, nos. 12, 1 [sic], 8, 9, 10, 11, 12, 13, 14, 17, 19).

1793. Mar. 5, 12, May 21, 28, June 4 (vol. 1, nos. 32, 33, 41, 42, 43).

Printed every Tuesday by Alexander Martin for John Sibley.

The North-Carolina Minerva / and / Fayetteville Advertiser /:

1798. Nov. 17 (vol. 3, no. 139).

Fayetteville: Published every Saturday by Hodge and Boylan.

Later transferred to Raleigh. See below.

#### *Halifax.*

The North-Carolina Journal:

1794. Jan. 22, July 9, Nov. 3 (vol. 2, nos. 80, 104; no. 120).

1795. Jan. 12, 26, Oct. 10 (nos. 130, 132, 170).

1798. Jan. 29 (no. 289).

Halifax: Printed by Abraham Hodge, w.

#### *Newbern.*

North Carolina Gazette:

1759. Oct. 18 (no. 200).

1768. June 24 (no. 5).

For facsimile of the issue of Oct. 18, 1759, see Ashe's History of North Carolina, I. 290.

Established by James Davis in 1755, w.

North Carolina Gazette:

1790. Apr. 1, 15 (vol. 5, nos. 221, 223).

1794. Jan. 4 (vol. 9, no. 417).

Newbern: Printed by F. X. Martin.

#### *Raleigh.*

The North Carolina Minerva, / and / Raleigh Advertiser. /:

1799. Nov. 26 (vol. 4, no. 189).

Raleigh: Published every Tuesday by Hodge and Boylan.

Removed from Fayetteville.

#### *Wilmington.*

The Cape Fear Mercury: 1769. Friday, Nov. 24 (no. 7).

Wilmington (Cape Fear): Printed by Adam Boyd.

The Wilmington Chronicle: / and / North Carolina Weekly Advertiser/:

1795. Thursday, Oct. 22.

Wilmington: Printed by James Carey.

Hall's Wilmington Gazette:

1798. March 29, Aug. 30, Nov. 15, 29 (vol. 2, nos. 65, 87, 97, 99).

Wilmington: Published weekly (Thursday) by Allman Hall.

*Library of Congress, Washington, D. C.*

#### *Edenton.*

Post-Angel, or Universal Entertainment:

1800. Nov. 12.

Established 1800, w.

State Gazette of North Carolina:

1789. Mar. 10 to Dec. 3. Some mutilated, others missing. w.

*Newbern.*

Newbern Gazette :

1798. Nov. 24; Dec. 1, 8, 15, 22, 29.

1799. Jan. 12, 26; Feb. 2, 9, 16, 23; Mar. 2, 9, 16.

1800. May 23; Aug. 15.

Established 1798, w.

State Gazette of North Carolina :

1787. Oct. 4. Established Jan., 1786, w.

*Raleigh.*

North Carolina Minerva :

1800. Dec. 23. Established 1796, w.

*Harvard University Library, Cambridge, Mass.*

*Edenton.*

State Gazette of North Carolina :

1791. June 10-Sept. 13, Nov. 11.

1795. Feb. 19-July 23, Sept. 10-Dec.

1796. Jan.-Oct. 13.

1796-1797. Oct. 20, 1796-Apr. 20, May 18, 1797.

1799. Feb. 6.

Established by Hodge & Wills, w.

Herald of Freedom :

1799. March 27, May 1.

Established by James Wills, w.

*Fayetteville.*

North Carolina Centinel and Fayetteville Gazette :

1795. July 25, Aug. 8-29.

Printed by Thomas Conolly.

North Carolina Minerva, and Fayetteville Advertiser :

1796. March 31-Oct. 15.

1796-1797. Oct. 22, 1796-April 2, 1797.

1797. April 15, May 13-June 10.

1797-1799. Nov. 18, 1797-July 9, 1799.

Printed by Hodge & Boylan. They purchased "the press, type, etc.," of T. Conolly & Co., and the above is evidently a continuation of the Centinel, which must have been included in the "etc." See their ad. in N. C. Journal, Halifax, Jan. 11, 1796.

*Halifax.*

The North Carolina Journal :

1795. April 27-July 27, Aug. 10-Dec.

1796-1797. Jan., 1796-April 10, 17, 1797.

1797-1798. Dec. 25, 1797-Jan. 1, 1798.

Printed by Abraham Hodge.

*Newbern.*

The North Carolina Gazette:

1791. June 4-Sept. 24, Nov. 5.

1795. Feb. 14-July 11.

1796-1797. March 5, 1796-April, 1797.

Printed by F. X. Martin.

The Newbern Gazette:

1799. July 20.

Printed by John C. Osburn.

*Raleigh.*

The North Carolina Minerva and Raleigh Advertiser:

1799-1800. Sept. 10, 1799-Dec., 1800.

Printed by Hodge & Boylan.

*Wilmington.*

The Wilmington Chronicle; and North Carolina Weekly Advertiser:

1795. July 3-17, July 31-Sept. 24.

1796. Feb. 4-Aug. 4.

Printed by James Carey.

Hall's Wilmington Gazette:

1797. Feb. 9-Apr. 20, June 8-Sept. 21.

1797-1798. Sept. 28, 1797-Nov. 15, 1798.

The Wilmington Gazette:

1799. March 7-June 13, 1799.

1799-1800. Aug. 8, 1799-Dec., 1800.

Printed by Allman Hall.

All of the North Carolina eighteenth century newspapers in the Harvard University Library are from the Collection gathered by Professor Ebeling of Hamburg in the latter part of the eighteenth and early nineteenth century.

*Massachusetts Historical Society, Boston, Mass.**Newbern.*

North Carolina Gazette:

1765. Nov. 20 (no. 58. See also B. P. R. O).

*Wilmington.*

Cape Fear Mercury:

1770. March 9. Supplement (No. 22).

*New York Public Library, New York City.**Newbern.*

North Carolina Gazette:

1775. Oct. 6.

*Pennsylvania Historical Society, Philadelphia, Pa.**Halifax.*

North Carolina Journal:

1796-1798.

Established by Hodge & Wills July 23, 1793, w.



*North Carolina State Library, Raleigh, N. C.**Raleigh.*

The Raleigh Register and North Carolina Gazette:

1799. Oct. 22 (vol. 1, no. 1).

1800. To Oct. 7, and later.

Established by Jos. Gales, Oct. 22. 1799. w.

*University of North Carolina, Chapel Hill, N. C.**Edenton.*

State Gazette of North Carolina:

1790. Volume 5.

*Fayetteville.*

The North Carolina Chronicle; or, Fayetteville Gazette:

1790. Sept. 30 et seq. (vol. 2, no. 1 to no. 26).

*Newbern.*

North Carolina Gazette:

1777. July 4, 1777 (no. 383), to

1778. Nov. 20, 1778.

*Library of Stephen B. Weeks, Washington, D. C.**Halifax.*

The North-Carolina Journal:

1796. Monday, Jan. 11 (no. 182).

Halifax: Printed by Abraham Hodge. Joint Printer to the State with  
H. Wills.

## E. EARLY CHURCH RECORDS.

Such of the early records of North Carolina churches and religious bodies as have survived are widely scattered. In this brief survey I have been greatly helped by Prof. William H. Allison's "Inventory of Unpublished Material for American Religious History in Protestant Church Archives and Other Repositories" (Washington: Carnegie Institution, 1910).

*Baptists.*

The Backus Collection, now in the New England Baptist Library. Boston, Mass., contains letters to Isaac Backus from North Carolina Baptist leaders as follows:

Barnes, Joshua, Pitt Co., Dec. 13, 1796; Jan. 30, 1799.

Burkitt, Lemuel, Northampton Co., Dec. 1, 1796; Jan. 23, 1799.

Gardner, Thomas, Warren Co., Feb. 6, 1797; Jan. 23, 1799.

Garner, William, Northampton Co., Feb. 16, 1797.

McCabe, John, near Edenton, Jan. 18, 1799.

Price, Absalom, Glasgow Co., Feb. 2, 1799.

Read, Jesse, Halifax Co., Apr. 3, 1795; Jan. 3, 1799.

Roberts, George, Person Co., Jan. 11, 1797; June 8, 1798; Feb. 26, 1799;  
May 4, 1801.

Reecks (Ricks?), Josiah, Granville Co., Feb. 15, 1799.

Vass, Thomas, Granville Co., Feb. 25, 1799; Apr. 30, 1801.

Whitfield, Needham, Wayne Co., Feb. 4, 1799.

Letter of the Chowan Baptist Church, 1728.

Wake Forest College possesses a number of the records of local Baptist churches, 1815-1860, which throw interesting light on social life, church history, etc.—Leland's Notes.

### *Congregationalists.*

Dartmouth College Library has, in the Wheelock collection, an account of a mission to the Catawba Indians, 1774.

### *Lutherans.*

The Lutheran Historical Society at Gettysburg, Pa., has an attested copy of petition of Germans in 1771 and memorial of Gov. Tryon to the Society for the Propagation of the Gospel.

Prof. Charles Lee Coon tells me that he has found and preserved several record books of individual Lutheran churches in some of the western counties and will soon make them the basis of extended historical studies.

### *Presbyterians.*

The Presbyterian Historical Society, Philadelphia, Pa., possesses the following North Carolina material:

Minutes of Concord Presbytery, 1795-1892, 9 vols.

Minutes of Orange Presbytery, 1795-1812, 1825-1885, 9 vols.

Extracts from the minutes of the Synod of Carolina pertaining to the Presbytery of Orange, 1788-1812.

Extracts from minutes of the Synod of North Carolina, 1813-1826.

Minutes of Roanoke Presbytery, 1836-1839.

Constitution and resolutions of the Synod of North Carolina.

"Reasons for separate organization as communicated in two letters to a gentleman of Virginia."

### *Protestant Episcopalians.*

The Hawks manuscripts, now at the Church Missions House, 281 Fourth Avenue, New York, contain the Hawks Transcripts from the original archives at Fulham Palace and Lambeth Palace. They deal mainly with the efforts of the Society for the Propagation of the Gospel in Foreign Parts (S. P. G.) to found churches in the colonies. The North Carolina documents have been printed in this series. A detailed list of them is given in Allison's Inventory.

At the same place is a part of the correspondence of Bishop John Stark Ravenscroft, consisting of 4 volumes of letters, 1818-1830, mostly to him, but a few by him, originals or copies, over 200 in all. "There are a few miscellaneous papers and also his "Episcopal Journal," July 8, 1824-Oct. 6, 1828, showing places visited, confirmations, baptisms, etc. There is also a subscription paper for Edenton Theological Seminary, 1821.

A few local records, like the Vestry Book of St. Paul's Parish, Edenton, have survived. They are filled not only with church and individual matters; but contain material on various phases of civic life which have, since the disestablishment of the church, passed under the administration of the State.

*Quakers.*

Beyond question, the church organizations which have been most fortunate in the preservation of their manuscript records are the Friends or Quakers and the *Unitas Fratrum* or Moravian Brethren.

The oldest and most important of these are those of the Quakers. They begin about 1680 and come down to the present. In the earlier days the Society was relatively more numerous and important and there are few sections in eastern and middle North Carolina untouched by their influence and few families who are not proud to claim connection. A detailed survey of these manuscript records has been printed (see my *Southern Quakers and Slavery*, 1896, 348-351). They contain a great mass of vital statistics, recording births, marriages and deaths. There are references to political and economic affairs, and for a study of the sources whence come the English-speaking peoples of Piedmont Carolina they are indispensable. A judicious selection from these records would be of amazing service along several historical lines and would be a contribution not only to Quaker history, but to Methodist history as well, for as I have pointed out elsewhere, George Fox was perhaps as much the founder of Methodism in Carolina in 1672 as was Robert Williams in 1772.

*Unitas Fratrum or Moravian Brethren.*

Of first importance from the standpoint of the fulness and completeness of their records are the Moravians, who have always been a feeble folk in North Carolina, but who have exercised an influence out of all proportion to their numbers. In the matter of the preservation of their records they, like the Quakers, have set an example of diligence, care and historical enthusiasm which stronger denominations have lacked.

There is much material in the Moravian archives at Herrnhut, Germany, relating to the Moravians in Pennsylvania and North Carolina, mostly copied from the American originals.—*Learned's Guide*.

The archives of the Brethren at Bethlehem, Pa., contain a considerable amount of North Carolina material, including:

- Account of their work among the Cherokees, including diaries and letters and a *Brief Description of the Cherokee Country*, 1766, written to Ettwein by John Daniel Hammerer.

Report (German and English) of the journey of Martin Schneider to Long Island on the Holston River and thence to the Upper Cherokee towns on Tennessee River, Dec., 1783-Jan., 1784.

Account of the settlements in North and South Carolina, 1794.

Salem:

Diaries, 1775-1782; 1783-1803; 1806-1809.

Letters, 1767, 1770-1797; 1802-1848.

Extracts from the church books, 1818-1848.

Reports of the Society for the Furtherance of the Gospel among the Heathen in Salem, with reports of work elsewhere in North Carolina and in Virginia, 1822-1852.

Reports from neighboring congregations, 1810-1813; 1815-1818.

Salem and Wachovia:

Reports and memorabilia, 1819, 1836-1838.

Wachovia:

Diaries, 1753-1757; Mar.-Oct., 1759; Feb., 1760-1766; 1767, 1768.

Letters, 1762-1764.

Extracts from reports, 1804, 1805, 1810, 1811.

Memorabilia, 1815-1818.

It has also Report of Wachovia directors of the Society for Propagating the Gospel, concerning its mission among the Cherokees and an attempt to found a mission among the Creeks, presented at a meeting of the Society, Salem, N. C., Aug. 21, 1810.

Account of Andrew Schoute's journey from Bethlehem to Bethabara, N. C., 1759.

Report of Abraham Steiner's journey from Spring place to the Creek country, his transactions there and his return to Wachovia, Sept. 3-Oct. 2, 1803.

Report of journey of Utley from Bethlehem to Bethabara, N. C., 1766.

Various miscellaneous documents concerning affairs in Wachovia, including letters and description of journey from Bishop of Spangenberg, 1752, 1753.

The North Carolina Moravian archives are preserved in the Archives House in Winston-Salem, are complete and continuous since 1753, the date of the settlement. Down to 1855 they are written in German; since then in English.

There are various classes of records:

Diaries. These are the daily records of events in the province of Wachovia and in the separate congregations, together with notes on outside matters of interest. These are complete since 1753, and each diary is a brief summary of the year's events. They narrate not only local church matters, but matters of general interest to the State, *e. g.*, the Indian wars, the Regulators, the Revolution.

Memoirs and other Sketches of deceased members.

Letters. These include letters from missionaries of the S. P. G. and from those among the Indians.

Records. These include the minutes of the governing board of Wachovia, of the congregation councils, and the church registers.

Some further account of the present condition of these records, together with an estimate of their historical value to the State, has been kindly furnished by Miss Adelaide L. Fries, the accomplished archivist of the Southern Province of the Moravian Church, who has them under her charge. Under date of February 13, 1913, Miss Fries writes:

"Our Archives are now in process of removal to new quarters—or rather they have been moved, and I am trying to get them on the shelves. It seems a good opportunity for sorting, at least as to general subject; so the work goes slowly. We have no index, and there are several large boxes of papers of whose character and value I have as yet little idea, but I will answer your questions as well as I can.

"The collection is of quite considerable size, consisting of books, pamphlets, and papers. The books are now classified, and show a complete series of Moravian text-books (daily texts) back to 1731. There are also hymn-books, Bibles, church histories, biographies, religious works, and several shelves full of miscellaneous books, Greek, Latin, English, and German. There are also some early editions of laws of the United States and North Carolina and a few of English laws in force here in Colonial days. There are a number of magazines, chiefly those issued by the Moravian Church,



though not entirely. The pamphlets I have not finished sorting. Papers, particularly, not yet sorted. All of these records, down to very recent times, are in German.

"The Church daily Diaries and annual Memorabilia go back to 1753. Church Registers are of even date. All births, marriages, and deaths of Moravians are recorded, and as only Moravians were allowed to live in the Moravian settlements, it gives us a complete record of early and later residents here, till about 1860, when people other than Moravians were allowed to live here, their names are not recorded, but the Moravian record continues to the present day. From the beginning it was customary to read a memoir of the deceased at every funeral; this series is not complete, but a large number are preserved. The earlier diaries give the arrival and departure of members. I am not sure when that was dropped.

"I should say that from a political standpoint our records are of no value, though there are chance references that are significant. Socially our people were a law unto themselves. Personally, the picture of early life here is fascinating; but it was hardly typical of the State at large, and perhaps the same could be said to some extent of the economic side, though there they came into much closer touch with the public. The Minute Books of various Boards, and the parallel account books, give a vivid picture of the religious, social, and business life in Wachovia. The most interesting package of papers I have found so far (that is, from a public standpoint), contains some of the papers on which Traugott Bagge based his sketch of the Revolutionary War—the sketch which contains the reference to the Mecklenburg Declaration. The letters are from leaders of the American forces in this section, and there are several proclamations and broadsides. The one which most interested me was a manuscript copy of Gov. Alex. Martin's Proclamation calling for the celebration of July 4, 1783. The Colonial Records show the action of the Assembly in April authorizing such a proclamation, but do not give the proclamation itself. Indeed, I do not know whether it was ever printed. This manuscript seems to have been sent here by the Governor himself, and our records show that the day was duly celebrated here. The act of Congress of similar tenor did not come till October, and the day so set was in December; so North Carolina was six months ahead again, and the records to show for it without a shadow of a doubt!

"From an educational standpoint the records are interesting. A boys' school existed almost from the beginning of Salem, though it did not develop into such an institution as Salem College. Of the latter I might say that while we celebrated its centennial in 1902, with absolute truth as regards the boarding school, I have since found that the day school for girls began in 1772, and after a continuous existence of forty years it was gradually united with the boarding school of which it is still an integral part, so we were just thirty years too modest in our claims as to age for the school as a whole!"

#### F. COUNTY RECORDS.

The State of North Carolina, unlike the New England States, has kept no vital statistics. The nearest and only substitute for the vital records of New England are the county records, which have been kept

with more or less care in all the counties. They are indispensable in the study of biography and family history, being in most cases the only official documents in existence on the latter. They are of even more value in the study of the social and economic life of the period, and the good use to which they can be put has been forcibly shown in Mr. Bruce's volumes on the Economic and on the Social Life of Virginia in the seventeenth century, for these excellent historical studies are based almost exclusively on county records, and without such records could never have been written.

Materials of this kind, varying in amount and value according to the age of the county, the misfortunes, the fires and the despoliations it has suffered, and also according to the intelligence and faithfulness of its custodians, are to be found in all the counties. They are as yet practically unexploited, but Hathaway has printed enough from the records of the Albemarle section to show the immense historical wealth still hidden away in these depositories.

That students are beginning to recognize the immense value of these local records for historical purposes, and the necessity of making calendars for the same is shown by two recent addresses on the subject printed in the proceedings of the thirteenth annual meeting of the State Literary and Historical Association. In speaking on "County Records as a Source of Local History," Mr. Francis Nash of Hillsboro said in part:

" . . . They touch the life and activities of the inhabitants of the country at nearly every point. If one should be an infant, owning property, they show the appointment of a guardian, the nature of his property and how it is managed. When he comes of age, they show this by the return of his guardian and by his assessment for poll tax. The tax lists, after the Revolution, as well as the deed and mortgage books, show whether he is managing his property well, or is a spendthrift. If we wish to know whether he was a slaveholder, the tax lists will show that, and also the number of these slaves between 12 and 50 years of age. If we should wish to know his trade or profession, sometimes the deed books will show that, from his designation as weaver, hatter, smith, merchant, farmer, doctor, lawyer, planter, or gentleman. If he was an office-holder, the court records will show that—overseer of the roads, constable, deputy sheriff, sheriff, justice of the peace, clerk of the court, register of deeds, colonel, captain or lieutenant of militia; whatever he may be, they will show it. His marriage, when and to whom, will be found among the marriage bonds, his crimes on the State dockets, and his lawsuits on the civil dockets. The time of his death will be known from the appointment of his administrator, or the probate of his will, and quite frequently the number and names of his children, as well as the amount and character of the property he leaves to them. . . .

"But the view that I have been taking of these records appeals more to the genealogist and biographer than to the historian; and there is a larger view.

What part of the county was first settled, and why? What was the character of the settlers, their religion, their educational advantages, and their political outlook? What part of the county, after its first settlement, most attracted immigration, and why? Why was the county seat located where it was, and who was principally interested in securing that location? What was the character of the county court, and of its officers, and why and how were those officers appointed? If there were different races among the settlers, what was the contribution of each to the development of the county? What was the daily life of the people, what their sports, what their amusements? What interest did they take in public affairs, and how did they manifest it? What crimes were most prevalent among them, and why? Were they litigious or peaceably inclined? From what race came the greatest number of criminals, and why? *et cetera*. All these questions and many more can be answered by vitalizing the dry bones of county records with a glowing but intelligent imagination, that which is able to reconstruct and realize the past and its actors, and make them live again on the pages of history.

"Again, it may be that hid away in these records is some fact, or some evidence of the existence of a fact, which will throw a clear light upon an obscure or controverted point in our history. . . .

"Again, these records are an invaluable aid to the biographer. There was scarcely a prominent man in the province or the State who did not figure largely upon them. If he was a lawyer (and most of them were), we can, from them, form some estimate of the extent of his practice and of his weight and influence in the community. If he was a planter, we can ascertain how much land he owned and how many slaves. If he was a merchant, the dockets will supply some indication whether he had a good credit and if he was, himself, a harsh collector from his own debtors. If he was a court officer—for instance, clerk—his personality is apparent, in a certain sense, in all of his records, etc.

"Quite frequently, too, traits of character appear in unexpected places, traits that sometimes cause a modification, if not an alteration, in one's previous estimate of the man.

"Again, they are valuable as verifying or disproving tradition. . . . The evil that men are thought to do lives after them, as well as that they do. Remembering this, the historian has a difficult problem in determining how much of tradition is false and how much is true. If he has an adequate knowledge of human nature and of the springs of human action, a thorough examination of these county records will often direct him to a correct conclusion. . . .

"Finally, there is a still broader view to take of these old county records. The counties are, after all, but parts of the State and separated from each other by only imaginary lines. He who is to write the history of the people of North Carolina must be familiar with them if his story is to be true and full. These people, as individuals, in some form or other make their marks, for good or for evil, upon these records—marks which are sometimes pregnant with meaning to the intelligent investigator. Hints there are, here and there, to the skillful interpreter, of their manner of life, of their habit of thought, and of their social, economic, and political development: and he who is not content to deal only with the surface of things, but wishes to get at their heart, cannot disregard them without being false to his own high calling—as interpreter of the people to the people."



In treating the same subject from the standpoint of the State, Prof. Charles L. Coon said in part:

" . . . I am interested in these records for larger reasons than those which merely concern the purely local. To me the records of Lincoln, Mecklenburg, Rowan, and neighboring counties have been the principal source of information I possess relating to the educational, industrial, religious, social, and political life of the people of the middle section of the State, especially the German people and their contribution to our North Carolina life. In the county records of that section I find lists of books which individual men and women had in their possession at the time of their death, lists of their household furniture, lists of the articles sold in the stores, articles of agreement entered into between teachers and parents, bills for tuition which indicate the subjects taught in the schools, references to the games and sports of the people, receipted bills showing the payment of the preacher's salary, invaluable data relating to slavery, receipted bills showing the amounts contributed by individuals toward the erection of churches and schoolhouses, data relating to local customs, such as having liquor and cakes at funerals, data showing the fees charged by the German preachers for baptisms and funerals, data relating to the manufacturing enterprises carried on in the pioneer days, and data showing the treatment accorded the helpless and delinquent members of the community. . . ."

I would further emphasize the fact that the possibilities of these records in the various fields of social history have been amply demonstrated in the two volumes recently published by Hon. J. Bryan Grimes under the auspices of the Trustees of the Public Libraries and entitled: *Abstracts of North Carolina Wills (1910) and North Carolina Wills and Inventories (1912)*. The evident value of these published volumes to the student should be sufficient argument for the continuation of the series.

The main cost of such a series would lie in the preparation of copy. This should not be hack work. It would demand in its preparation a high order of historical talent, an acquaintance with historical methods and materials and an ability to recognize the possible value of every item presented. There should be at first a uniform survey of all the county records in the State, with a careful estimate of their relative amount and importance. Then a general form to be rigidly followed in the abstracts, or calendars, could be evolved, and in this way the individuals engaged in the abstracting could be held to a high standard of uniformity. And as good work will in the long run cost little more than poor work, let us by all means insist that the calendars be so well and so exhaustively done and so accurately printed that there will never be occasion to refer to the original again.

Publications such as those here outlined would of necessity contain the following classes of materials:



## a. MARRIAGE BONDS.

Until about the period of the Civil War marriages were consummated in North Carolina by the groom filing a bond with good and sufficient sureties with the county clerk. These bonds named the prospective bride and groom, the sureties, and the date. They were usually on single sheets, a printed form being filled out. The originals were filed in the county archives, and since they were not copied into a book, it is believed that no other official record of these marriages exists. In some cases they were either never filed or were later removed, for it not infrequently happens that such bonds are found even now in private hands. It is certain that many have been lost or destroyed, and this will continue to be their fate despite the utmost care which might be bestowed upon them; and the care which such records received until the revival of the historical sense in the last few years was practically nil. It is suggested that all marriage bonds to be found down to the time when the present system of registration took effect be printed. This proposition is not really as big as it sounds, for these records would not average more than two lines each.<sup>1</sup>

## b. OFFICIAL REGISTERS OF BIRTHS, MARRIAGES AND DEATHS.

It is true that North Carolina has only within the last year laid the foundations for a system of vital statistics, yet it has been shown in Chapter I that one of the provisions of the Fundamental Constitutions was intended to meet this very requirement; but the people, not feeling need for such records in the affairs of everyday life, and not having evolved into the reflective stage, allowed the keeping of such records to lapse in part. Mr. Hathaway has discovered such records for Perquimans County—Records of Marriages and Births, 1679-1754, 3 volumes—and has published the same. There is also an incomplete record for Pasquotank—Records of Births and Marriages, 1719-1737.

It is believed that systematic research may reveal similar records for other counties. They should all be printed.

## c. WILLS AND INVENTORIES.

Wills, inventories, guardianships, and other administration papers, representing the immediate and tangible affairs of both living and dead, touching the lives of the people in their most intimate relations on every side and every day, have as a natural result been best preserved. Nor is there a more valuable source of social history, for they contribute

<sup>1</sup>Hathaway quotes Chowan bonds as late as 1870.

to biography and genealogy—the individual and the family—to the political, industrial, economic, and religious history of the people whom they represent. The wills should be so calendared as to bring out all personal names and relationships, and all local topographical references; descriptions of lands should be included to aid in identification to-day, and all items that partake of the nature of inventories, for as a rule inventories were not returned for the estates of men who made wills.

The inventories themselves should be treated liberally and printed almost in full, for the larger the amount of material of this character on which the social historian of the future has to base his conclusions, the more accurate those conclusions will be. If every will and every inventory in the State throughout the eighteenth century is thus treated, the future student will be by that much the better prepared for his work.

#### d. DEEDS.

The records of land transfers and other deeds, like wills and inventories, come very close to the life of the people and have as a rule been well preserved. Brief abstracts of these transfers, showing prices, position and character of lands, relationship of parties, etc., would be of great service to various classes of students, especially to those seeking the time of the settlement, the causes of settlement, and the section from which the settlers came.

#### e. COURT RECORDS.

The various court dockets furnish an almost inexhaustible mine from which can be drawn materials illustrating in a large way economic conditions and the civil and criminal jurisprudence of the State, as well as individual strength and weakness.

Such materials known to exist in some of the counties prior to the nineteenth century may be indicated under such heads as:

Assize dockets,	Equity dockets,
Minute dockets,	Criminal dockets,
Trial dockets,	Civil dockets.
Executive dockets,	Reference dockets,
Processioning dockets,	Chief Justice's dockets,
State dockets,	General Court dockets, etc. <sup>1</sup>

To these rather long lists of material might be added various others which would include extracts from the Proceedings of the Courts of

<sup>1</sup>For an extended account of the material in some of the older counties, see Report American Historical Association for 1904.

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Pleas and Quarter Sessions (Justices of the Quorum or Inferior Courts); Lists and bonds of ships entering collectors' ports; Custom house papers; Ordinary licenses; Account books of various sorts; Tax lists; Taxables; Stock marks; Road books; Mortgages; Fees; Certificates of registry; Guardians; Dowers, etc.

But enough has been given, without going into further details, to reveal to the dullest mind the immense stores of historical knowledge that have been locked for generations in our local archives. By the arrangement and classification, the abstracting and publication of this material, and other documents as here indicated, the coming generation would render to posterity an historical service comparable in importance to that which has been rendered by the present generation in the publication of the series which is now being brought to a close.









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